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EDITORIAL COMMENT

Annual Meeting of the League

As this issue goes to press, plans are being perfected for the annual meeting of the League in Cincinnati, October 16 and 17, in conjunction with the meetings of the Governmental Research Association and the National Association of Civic Secretaries. Next month's issue will reprint two of the leading addresses delivered at the convention, and will contain a résumé and an impression of the convention proceedings by Dr. Lent D. Upson, director of the Detroit Bureau of Governmental Research.

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The Tax Situation in Chicago

We conclude this month the series of three excellent articles by Dr. Herbert D. Simpson on "The Tax Situation in Chicago." The series of articles on this subject will be reprinted by the author in booklet form. Interested readers may secure copies by addressing Dr. Simpson at the Institute for Research in Land Economics, 337 East Chicago Avenue, Chicago.

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Traffic Control

The readers of the article on "A Model Traffic Ordinance" in this issue will be interested in the recent decision of the City of Boston to install traffic lights for pedestrians.

Those familiar with traffic on James F. Mahoney Square, Boston, better known perhaps as the corner of Tremont and Boylston Streets, the busiest spot in all Boston, will recall that for several years the pedestrian has had peculiar privileges on that spot. When the amber and red lights are both showing, all vehicular traffic must stop and the pedestrian is king. The new Boston traffic code, drafted by Dr. Miller McClintock of Harvard University, which went into effect October 8, provides for this system on practically all important corners of the city.

Crossing lines to be established on all intersections where the traffic is not governed by lights will further protect the pedestrian, for vehicular traffic must allow all pedestrians the right to cross on these lines unmolested. Drastic parking regulations are also included in this new code. In the greater part of the downtown area only cars with licensed operators may be parked. This regulation has aroused some protest from those without chauffeurs who have been in the habit of leaving their cars parked on the streets all day unattended, and who now charge that this provision discriminates against them.

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British Municipal Expert Visits the United States

Arthur Collins, F. S. A. A., honorary secretary of the Institute of British Municipal Treasurers

and Accountants, and financial adviser to local government authorities in Great Britain, is at present making a tour of the United States to study American city government at first hand.

Mr. Collins is widely known in England as an outstanding expert in municipal administration, and is frequently called in as a consulting authority by local officials desirous of securing expert advice. During his visit he has made a number of public addresses. He talked on "British City Accounting and Taxation" before the convention of the International City Managers' Association, at Asheville, N. C., on September 18, and on "Cities—British and American" at the joint convention of the National Municipal League, the Governmental Research Association, and the National Association of Civic Secretaries, at Cincinnati at the banquet session on the evening of October 16. On October 24, Mr. Collins also delivered a public lecture on "The Achievement of Efficiency in Modern City Government" at the Association of the Bar in New York City.

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Resignations of California City Managers

H. C. Bottorff, city manager of Sacramento, submitted his resignation to the city council, to take effect October 15. His resignation was due to petty politics in the council. Upon the death of one of the councilmen, the vacancy thus created was filled by a successor in sympathy with a group previously elected upon a platform of changing the principal heads of the city government. Conditions became such that it was impossible for the manager to make any progress or to carry to completion the program of development adopted about seven years ago.

Mr. Bottorff has been associated with the city government since the adoption of the manager plan in 1921. He served first as assistant manager and comptroller, and one year later became manager. The following quotations from an editorial appearing in *The Sacramento Bee* give an interesting picture of the situation:

"The present masters of the city government last night voted the removal of City Manager H. C. Botorff.

"His forced retirement is not in the interest of good government. It is not in the interest of efficient administration. It is not in the interest of the public service. It is not in the interest of wise and able direction of city affairs. . . .

"'Bud' Bottorff has his faults. He is only human like the rest of us. But he has served the city well and honorably.

"He was single-heartedly devoted to giving the people of Sacramento a dollar's return for every dollar collected. . . .

"Not a taint or suspicion of graft has attached itself to his official work; no one can say but that his one aim and purpose has been to give his best and most honest endeavor to raising the level of government in Sacramento to a higher plane.

"Bottorff goes; but the principles for which he battled will remain. Let us hope that his successor will follow in his footsteps."

Charles E. Ashburner, city manager of Stockton, California, has submitted his resignation, effective on November 30. The council tried to dissuade him from taking this action, and voted six to two to table the resignation. Despite this, however, Mr. Ashburner informed them that he was definitely "through" and that he would leave office November 30 regardless of any action they might take. In his letter of resignation, he attributed his action to internal dissension, and cited as an example the delay for many years of the federal-state-city project to widen and deepen the San Joaquin channel at a cost of about six million dollars.

OUR AMERICAN MAYORS

XIII. WILLIAM HALE THOMPSON OF CHICAGO: THE SAGA OF A SOMBRERO

BY EDWARD M. MARTIN

Chicago

The mayoralty in Chicago: the double play in politics—Thompson to Dever to Thompson; King George repulsed; ballyhoo, bluster and bunk; and "America First." :: :: :: :: :: ::

THE name "William Hale Thompson" is probably more widely known than that of any other American mayor. Its owner, now completing his tenth year as chief executive of the second city of the United States, has achieved national reputation and international notoriety by his exploits as a public personage.

THE MAYOR'S ORIGIN AND BACKGROUND

William Hale Thompson was born in Boston in 1869 and was brought to Chicago in early infancy. He received a common school education. His father, William Hale Thompson, was a well-known business man of the city, had extensive property interests, and had served as colonel in the Second Illinois Guard. His maternal grandfather, Stephen F. Hale, had been a Chicago pioneer, had drawn up the city's corporation charter, and was the first chief of its fire department.

William Hale was intended for Yale, but at fourteen went to Wyoming, where he was successively brakeman, cowboy and cattle owner. These early experiences undoubtedly account for the hero stuff and other "Western" touches of his campaigns. Chief of these has been his trusty sombrero, ever-present emblem in all his campaigns.

At twenty-one, with a stake of $30,000 all his own, Thompson returned to Chicago to take charge of his father's estate. Managing the parental properties and dealing in real estate occupied him for the next few years. With both means and leisure, he devoted himself to the advancement of the "manly sports." He was active in the organization of the Illinois Athletic Club and in the activities of the Sportsmen's Club of America, of which at one time he was director-general. He interested himself in yachting, and also helped to form a championship football team in the Chicago Athletic Association, traveling over the country with this team in the capacity of captain.

"Big Bill's" love of the out-of-doors led him to champion the cause of public playgrounds; he claims to have secured from the council the appropriation for Chicago's first public playground.

HIS START IN POLITICS

It is credibly stated that "Big Bill" was introduced to politics by the late William Kent, political radical and courageous fighter of spoils and corruption. In 1900 Thompson was elected alderman from his home district, then the city's fashionable residence district and now the heart of the "Black Belt," the old Second Ward. Two years later he was chosen a member of the board of commissioners of Cook County. During these early years he seems to have been "one of the boys" who constituted the Republican cohorts.

Later on, Thompson became associated with Fred Lundin, a survivor of the old Lorimer machine. Lundin was a power in Republican councils as early as 1908 when, though defeated, he led the party ticket by 20,000 votes when seeking the office of city clerk. Later he was elected to Congress.

Thompson's money and position and Lundin's political acumen and showmanship proved to be a successful combination. They were termed the "Gallagher and Shean of Chicago politics." Thompson was called the "front" of the team. His commanding physique, always well-tailored, his open countenance, and his genial manner gave him a winning public presence.

Lundin—called the "brains" of the combination—was known as the "fox." He had been an old-time medicine man and had the talents of the showman. Lundin was pictured to the public as wearing an antiquated shiny black frock coat, an enormous black felt hat, a bow tie, and smoked glasses.

ELECTED MAYOR IN 1915

In 1915 Thompson was elected mayor, defeating County Clerk Robert M. Sweitzer, son-in-law of Roger Sullivan, the Democratic boss, by the vote of 398,538 to 251,061. Newspapers referred to the campaign as a "Donnybrook" and "triviality puffed with wind and filled with sound."

In 1919, with the Thompson-Lundin combination still intact, with the backing of a political machine perfected by four years of city hall "pap," Thompson again triumphed over Sweitzer. This time his majority was narrowed to 21,624.

Again, in 1927, after a tactical retirement, "Big Bill" was elected to his third four-year term in the mayor's chair. In the total vote of 1,000,000 ballots, his plurality over William E. Dever, Democrat, and John Dill Robertson, independent Republican, was 31,691; his majority over Dever, who had the better element backing, was 83,038.

HIS VOTE-GETTING METHODS

What were the issues on which "Big Bill" rode to victory? What are the characteristics of Thompson as a political leader? How did he come back after apparently being politically down and out?

The answer to these questions will be revealed by an analysis of Thompson's acts as occupant of the mayor's chair, as a party leader, and as a conjurer of political slogans.

Early in his first term Thompson established himself in public confidence by entering the dispute between the transit companies and their 14,500 employees. After a fifteen-hour conference in his office the settlement he proposed was accepted.

Thompson made a campaign pledge to enforce the Sunday closing law for saloons. Licenses of saloons violating the Sunday-closing order were revoked; later it was disclosed that these licenses were being secretly restored.

When Thompson became mayor, Lundin was made chairman of the committee on patronage. As such he was the czar of Chicago politics. The administration, with Thompson in the lead and Lundin as "the power behind the throne," proceeded systematically to play the game of politics for all it was worth. Chicago has the strong mayor-council type of government. The mayor is also presiding officer of the council, with the veto power.

When the Thompson-Lundin forces took possession of the city hall, the council was marked by a high level of aldermanic initiative and leadership. The level had been raised from the days of the "gray wolves" largely through the systematic and persistent educa-

tional work of the Municipal Voters' League.

CONTROL OF THE CIVIL SERVICE THROUGH "TEMPORARY" APPOINTMENTS

The early attempts of the administration to exploit the executive departments met with opposition from the council. The administration misused "sixty-day" appointments for political purposes to get around the civil service law. The council passed an order calling for a list of all "temporary" appointments. Thompson's civil service commission entirely disregarded the order, stating that it "questions the motives" of the council in asking the information! Many henchmen appointed via the "temporary" route held office three, four, five years, and longer. The commission became known popularly as the "wrecking crew."

By 1918 a surplus of four million dollars in the city treasury had faded to a two-million-dollar deficit. Three times the mayor vetoed a council resolution requesting the Chicago Bureau of Public Efficiency to investigate the condition of the city's finances. A local wag said the Bureau was sired by the City Club and damned by the City Hall!

THE "SOLID SIX"

In 1917 the legislature reduced the number of trustees of the board of education from twenty-one to eleven. The mayor nominated a set of trustees including six persons whose unity of action in partisan decisions led the public to dub them "the solid six."[1] The council voted to confirm the appointments. The vote was subject to reconsideration at the following meeting, but ignoring this fact and without giving the members of the old board an interval in which to dispose of pending matters, the new appointees swooped down on the unsuspecting school board, put policemen on guard, and ousted the experienced employees of the board.

At the next council meeting an alderman moved to reconsider the vote. Mayor Thompson refused to recognize the alderman, meantime allowing routine business to go on. Suddenly an administration leader shouted a motion to adjourn. Contrary to all legal precedent, the mayor refused demands for a roll call and declared the council adjourned. The aldermen organized in a legal way, and reconsidered the vote of confirmation.

Legal proceedings were begun to oust the "solid six" outfit, and for a year Thompson's corporation counsel spent public money to keep the "solid six" in office. The Supreme Court decided that the Thompson appointees had never been confirmed and were not the school board. In the meantime the previous board and continued in office, and for a year the schools were in a state of virtual anarchy.

Toward the end of the second term, Lundin, two of the "solid six," and twenty-four Thompsonites were indicted for alleged corruption in school affairs. Owing to the political hook-up however, these cases never came to trial.

"BIG BILL" AS A "BUILDER"

The alliterative appellation "Big Bill, the Builder" was applied to Thompson by his campaign copy writers for the major public improvements initiated and completed during his administrations. Among these are the Michigan Avenue link bridge, the Twelfth Street widening, and the Ogden Avenue widening and extension.

In putting through these improvements it became necessary to condemn

[1] See NATIONAL MUNICIPAL REVIEW, 8: 196–7, March, 1919.

large areas of land. Members of the Thompson organization were appointed as real estate appraisers to undertake this task on a fee basis. The amounts of money so paid out by the city, it has been charged, were several million dollars in excess of amounts properly due. *The Chicago Tribune* filed a taxpayer's suit for the repayment to the city of excess payments, contending that the excess fees found their way into the campaign coffers of the Thompson forces.

The Circuit Court ruling in June, this year, upheld *The Tribune's* contention and ordered Thompson and several associates to repay the money with accrued interest. Thompson has appealed the decision, but pending the final decision has filed a bond covering his personal liability in the transaction.

Mayor Thompson's neutral attitude during the World War brought down on his head widespread condemnation and gave him national notoriety. He is credited with characterizing Chicago as "the sixth German city of the world." He declined officially to invite the French Mission, headed by Marshall Joffre and René Viviani, to visit Chicago. He refused to prevent the holding of anti-war or anti-conscription meetings.

Thompson "broke" with Governor Lowden when the latter sent militia to break up a pacifist meeting which the mayor had authorized. In 1920 Thompson resigned from the Republican National Committee when Lowden's name was considered for President and used the full strength of his forces to thwart Lowden's presidential ambitions in 1928.

In the 1919 campaign Thompson posed as the foe of public utilities and traction companies, of the bankers and rich tax dodgers. During the war with its rising costs he made a slogan out of the five-cent street car fare and threatened action against the street car companies. In spite of his efforts and protests, the Federal Court ordered an advance in the fare to seven cents, an order which still maintains.

"BIG BILL'S" BALLYHOO

An accomplishment of his second term was the "Pageant of Progress," an industrial exhibition held on the city's Municipal Pier. It was backed by the resources of the administration and was a financial success. The plan of holding the pageant was credited to Lundin.

This activity of the administration well exemplifies the type of ballyhoo publicity which is part and parcel of the Thompson technique. The Pageant of Progress was, of course, widely advertised throughout the country, welcoming all to Chicago, "Big Bill" assuring them a welcome and their money's worth.

Another instance of such propaganda was the formation in 1920 of the Chicago Boosters' Publicity Club. Business men contributed one million dollars to erect sign boards throughout the United States to tell of Chicago's greatness. Each sign board bore "Big Bill's" signature. After the 1927 campaign the city was placarded with the slogan, "Throw Away Your Hammer and Get a Horn."

In 1920 the Thompson-Lundin forces captured the offices of state's attorney and county judge. The latter controls the election machinery of the city.

Thompson then reached out for other branches of the government. In the Circuit Court election of 1921, Thompson's forces arbitrarily dropped a number of sitting judges from the slate, replacing them with political favorites. The Chicago Bar Association fought this move on the part of the Thompson forces to control the judicial machinery of the county. The

slogan "hands off the courts" was raised, and a victorious fight was carried on by the Bar Association, in coöperation with the Democratic organization. A vote of more than 80 per cent of the electorate was polled and completely overwhelmed the Thompson slate.

The judicial defeat, the school graft indictments, the bankrupt city treasury and a series of personal conflicts within the ranks shattered the Lundin-Thompson political machine. A rift came in the Gallagher-Shean lute.

As the 1923 mayoralty approached, the Thompson chieftains, after counting noses and pledge cards, advised "Big Bill" not to run. "My friends have crucified me," said "Big Bill." "I believed in them. I did everything I could to help them make good to the people and they betrayed me.

"I am happy in one thing. I believe I have given Chicago the best administration it ever had. We have the greatest record of progress any party or faction can point to."

DOWN, BUT NOT OUT

To the public it appeared that "Big Bill" was down, but it was soon apparent to close observers that he was not by any means out. After a period of silence, occasional references appeared in the public prints concerning "Big Bill" and his activities. He was appointed chairman of the Illinois Waterways Commission, and used that position as a means for obtaining frequent mention in connection with the campaign for the Lakes-to-Gulf waterway project.

A radio station with the call letters WHT was established. Many persons gave the call letters a personal interpretation, and the station with its attractive program features undoubtedly helped out "Big Bill's" cause.

Throughout the next three years "Big Bill" was a conspicuous figure at community meetings, organizations, and balls, being mentioned in the local press as leading the grand march, and so forth. Always the "glad hand artist" and the hail-fellow-well-met type, "Big Bill" in this way established personal contact with thousands upon thousands of the voting public who knew little and cared less concerning his record as mayor.

"Big Bill" was also a frequent patron of a large and popular North Side cabaret, which has since been closed for violation of the prohibition law. He always sat at the same table, located prominently on a balcony, and was accompanied invariably by a retinue.

Thompson's boat trip down the Mississippi River, reported sarcastically by the newspapers as an expedition to hunt the "tree-climbing fish," and his systematic exploitation of the Lake-to-Gulf waterway project, brought "Big Bill" frequent mention in the public press.

While resuscitating his reputation with the general public, Thompson also had to regain his seat on the band wagon, which he had left when he stepped down from the mayor's chair and from which he had been excluded as a political liability. He had broken with Robert E. Crowe, state's attorney and leader of the Republican faction then dominant in Cook County. But early in 1926 [1] Thompson had an opportunity to reënter the Crowe camp when the position of sheriff became vacant, and in the scramble for the office George F. Harding, Thompson's friend, was successful, not by virtue of the latter fact, but because of his own wealth, power, and good running qualities. A shift in plans later, how-

[1] See *Chicago Primary of 1926*, by Carroll Hill Wooddy (University of Chicago Press), especially pp. 28–31.

ever, gave Harding the berth of county treasurer, to which he was subsequently elected.

The presence of Harding in the Crowe-Barrett camp gave Thompson an entering wedge. Harding paved the way, and shortly Thompson's entry into the Crowe fellowship was announced. Thompson later told the Reed campaign fund investigating committee that he had been invited by the Crowe faction to join them with the promise that they would support him for mayor in 1927. He agreed, he said, on condition that a stand would be taken against the World Court, for waterways, and against prohibition.

Thompson was eager to align himself with one of the leaders, for he saw the difficulties of making headway by himself. As assets with which to bargain, he had his own personal popularity and the influential support of Harding, the South Side boss. Both he and Harding were millionaires. It was reported that Harding was willing to spend $500,000 to reëlect Thompson as mayor.

POLITICS MAKES STRANGE BEDFELLOWS

Fortunately, political leaders have short memories, for in 1922, Crowe publicly stated:

> I quit Thompson because he indicated he did not wish me to live up to my oath of office. . . . The immediate cause of my breach with Mayor Thompson was my efforts to close hell-holes of prostitution and vice.

In 1924 Thompson had frequently declared:

> Ladies and gentlemen, any time you'll find that I am in the same political bed with Bobby Crowe, the Barrett brothers, Ed Brundage, who was the cause of killing Governor Small's wife . . . then you'll know that Bill Thompson has turned out to be a crook.

Many doubted the sincerity of the Crowe faction toward Harding and Thompson. It was said that both were likely to be made the subject of trades. Harding and Thompson, nevertheless, used their opportunities and were not ignored when the rewards were passed out.

From that point on, "Big Bill" more and more played a leading part in the affairs of the Crowe faction. At the county convention, Thompson, as chairman of the resolutions committee, presented a platform and advocated its adoption in a rousing "patriotic speech." The setting was well prepared by patriotic pageantry in a parade of ex-service men headed by the statues of Washington and Lincoln and a trio in costume representing "The Spirit of '76."

Thompson devoted his efforts to the World Court issue. In January, 1926, he formally invited Senator William E. Borah to address a mass meeting in Chicago on the subject.

All of Thompson's talent for pageantry was employed to give Borah's visit and the local campaign a national significance. Letters were circulated over his signature inviting the citizens of Chicago to "assist in keeping Old Glory at the masthead," by taking part in an automobile parade to welcome the senator. The parade consisted of 2,160 cars including 200 supplied by ex-service men, and ten bands, mostly paid for by the Crowe candidates in the April primary.

Thompson was temporary chairman of the mass meeting. His appearance on the platform with his campaign sombrero produced a demonstration. From Thompson's standpoint the occasion was a success; it was a typical Thompson demonstration, with a carefully set stage, resulting in a highly successful show.

An incident of the 1926 primary campaign will illustrate Thompson's circus-minded methods. On April 6

he took two fat, caged rats to a packed house in a downtown theatre. He addressed one animal as "Fred" (for Fred Lundin), and the other as "Doc" (for Dr. John Dill Robertson, who now had mayoralty aspirations). He verbally lashed "Fred" and "Doc" for ingratitude. It was soon obvious that Thompson was to be the Crowe candidate for the mayoralty in 1927.

"AMERICA FIRST"

Preparatory to the primary campaign for the mayoralty, the Crowe-Thompson organization was credited with having obtained 500,000 signed cards pledging support to "Big Bill" and "America First." A highly perfected political machine and campaign enthusiasm polled 342,337 votes for Thompson at the primary. William E. Dever, the Democratic candidate to succeed himself, polled 149,453 votes.

The discrepancy was indicative of how the political cat was going to jump. The primary campaign gave Thompson a tremendous head start. It looked as though he would be an easy winner. Thompson capitalized this state of the public mind. His political machine ramified every precinct of the city. He carried forward his campaign with self-assurance, blatancy, and bunk which surpassed all of his previous efforts. For the first time in months the Republicans presented a united front.

Thompson's slogan was "America first." He campaigned against the World Court, notified King George to keep out of Chicago politics, and otherwise fought for issues which had little or no relation to municipal affairs or the office for which he was a candidate.

The story is told that in a meeting of the party chieftains to select a slogan, Thompson evolved the catchword "America first."

"Why 'America first'?" someone inquired. "You can't get up a controversy over that."

"That's just it," Thompson is said to have replied. "It's a good slogan because there's nothing to argue about."

In his campaign speeches Thompson refers to himself in the third person. He has the conversational style of oratory. He takes the audience into his confidence. Thompson made the waterways project realistic by promising that, within three years, boats and barges would be plying regular runs from New Orleans to Chicago. The resulting prosperity, he said, would produce three jobs where one now existed. He would single out workingmen in his audience, promising each of them three jobs with good pay, "if Bill Thompson is elected."

KING GEORGE PUT TO ROUT

His attacks on King George were centered around William McAndrew, the superintendent of schools, whose facial adornments give him a resemblance to His Britannic Majesty.[1] Thompson's attacks on McAndrew, "stool pigeon of the King of England," and King George, whom he threatened with violence did he venture to "stick his snoot" into Chicago's affairs, provoked his audiences to high pitches of enthusiasm.

The Dever forces, after a tardy start, waged a vigorous campaign. They employed ridicule and revelation. Unusually accurate straw votes, taken daily during the campaign, showed Thompson to be the favorite until the last two weeks of the campaign.

Gradually Thompson's percentage dropped. Dever's debunking campaign was having its effect. Towards the end Thompson's angry attacks on King George provoked his audiences to

[1] See NATIONAL MUNICIPAL REVIEW, XVI: 11, pp. 688–695, November, 1927.

smiles and even titters. Close observers believe that had the election occurred two weeks later, Dever's tactics would have been successful.

Undoubtedly, however, the deciding factor in the election was the wet and dry issue. Although theoretically wet, Dever had vigorously suppressed the bootleggers and had ordered rigid law enforcement. This order angered many Democrats. In the election several West Side wards, normally Democratic strongholds, either were lost to Dever or gave him pluralities insufficient to overcome Thompson's lead in other wards. "Big Bill" rolled up pluralities in many districts by racial and nationalistic appeals. Ninety-five per cent of the Negro vote went to Thompson.

P. & A. Photos

MAYOR THOMPSON IN HIS HOTEL OFFICE

Thompson, on the other hand, was "wet as the Atlantic," and promised to fight crime but to ignore prohibition. He stood for liberalism and a wide-open policy.

Soon after the election Thompson and his cohorts celebrated by a triumphant boat trip to New Orleans over

the flood-swollen Mississippi. His victory had given "Big Bill" visions of new political fields to conquer. The Senate seat which had slipped from his grasp in 1918 now seemed a certainty; and the presidency was not an impossibility. One of his first acts after returning to Chicago was to call the flood control congress. "Big Bill" was chosen chairman of the congress, and used this office as a means of further political advancement. He issued a catchily written folder setting forth several national issues as the needs of the hour, and placed "Big Bill" in juxtaposition to Washington and Lincoln. Following the election, Thompson continued his personal headquarters in a hotel across the street from the city hall. The word soon went around that if anyone had business with the mayor he could find him there rather than at the city hall. He maintained that office until after the April, 1928, primary.

In municipal affairs the mayor undertook to carry out some of his campaign promises. One was to oust McAndrew; another was to repeal the water meter ordinance passed during Dever's term at the insistence of the Federal Government.

McANDREW "GETS THE GATE"

Almost six months after Thompson had taken office, a pretext was seized upon for filing charges against McAndrew and he was suspended. A "trial" before the board was dragged out more than six months. The prosecutor in the case was the man who as county judge had controlled the election machinery during the Thompson-Lundin régime. McAndrew was finally dismissed. He appealed to the courts and his case was one of fifty thousand civil cases awaiting hearing when the current season opened.

Thompson discovered that in the Chicago public library system, the trustees of which are appointees of the mayor, are a number of pro-British histories which had been proscribed in the McAndrew proceedings. Thompson ordered one of his appointees on the library board, a theatre manager, to see to it that the library was promptly purged of the seditious volumes.

"Burn the books on the lake front," someone suggested.

The resulting public clamor again brought Mayor Thompson into the international limelight. Perhaps the light was too hot, for the mayor disclaimed any intention of burning public property, and his theatrical trustee decided to take a trip to the north woods.

These are merely a few of the incidents which occurred during the first year of Thompson's third term in office. With his political ambitions still burning brightly, "Big Bill" worked feverishly to put over his ticket in the April primary. The Thompson-Crowe organization officially adopted the slogan "America first" for their faction. The message of "America first" was broadcast throughout the city by billboards and all the paraphernalia of political propaganda. An "America First Foundation" was founded with membership at $10 a head.

THE 1928 PRIMARY

Thompson's interest in the outcome of the 1928 primary election was more than that of partisan faction, for the administration put up for referendum at the same election thirty-three bond issues, aggregating the enormous sum of $80,000,000. Thompson had paved the way for increasing the city's bonded debt by the simple expedient of having the state legislature alter the basis of assessed valuation from 50 per cent to 100 per cent of full fair cash value.

The city was already bonded to the limit allowed by law. At one stroke the Thompson forces thus proposed to double the bonded indebtedness of the city.

Thompson's frequently repeated promises that he would rid Chicago of crime, and that crime was being reduced, have thus far failed to materialize. The political campaign preceding the 1928 primary was unusually bitter and was marked by the bombing [1] of the homes of Senator Deneen, leader of the opposition, and of the Deneen candidate for state's attorney; also the killing of a Deneen ward leader. Efforts were made to explain away the bombs by saying that they had been thrown by Deneen sympathizers to create sympathy for their faction. Thompson forces offered rewards, which were never claimed, aggregating $65,000, for information leading to the arrest of the perpetrators of the bombing.

The effect of the bombings and other acts of violence. coupled undoubtedly with Thompson's inattention to municipal affairs and reckless attitudes in matters of finance, brought defeat not only on the "America First" ticket, but also rejection by overwhelming vote of the entire city bonding program.

A REST IN THE NORTH WOODS

Although the Thompson forces by a bare majority retained control of the county Republican committee, "Big Bill" appears to have lost interest in things political. After the primary, his dreams of grandeur faded. Although he attended the Republican National Convention, he played no important part in those proceedings and has taken no part in the campaign. Following the convention, "Big Bill" hied himself to the north woods, where he spent practically the entire summer. In fact, his absence was so prolonged that rumors became current that on account of ill health he would resign. He reappeared, however, early in September, to preside at special meetings of the city council. It was announced that he would spend several weeks during the fall months on a ranch in the Southwest.

Developments during his absence might well have caused him to seek recuperation. Decision was rendered in *The Tribune's* real estate experts' suit, for instance.

CHANGES IN ADMINISTRATIVE PERSONNEL

Thompson's city comptroller resigned when the council appropriated a fund of $700,000 for surveys, etc., preliminary to beginning Chicago's long-talked-of subway. The council acted despite the fact that the necessary funds were not available to meet the appropriation. Apparently advised by his bondsman that he would be personally liable if he approved any of said payments, the comptroller withdrew, saying his business demanded his entire personal attention. He then promptly left for a several months' trip to Europe.

During the summer Thompson's chief of police, a man who was counted upon to run the crooks out within ninety days, handed in his resignation. Since then a complete new leaf has been turned over in that department. In fact, one of the most striking incidents in Thompson's political history is to be found in the reappointment to the force as assistant commissioner of police of the man who less than a year before had been demoted and dismissed from the service by Thompson's civil service commission. This man was one of the most efficient members of the force under Dever's administration.

[1] See NATIONAL MUNICIPAL REVIEW, XVII: 5, pp. 255–256, May, 1928.

The department of public works encountered difficulties by exhausting the funds provided for street repairs without tangible results. A taxpayers' suit restrained the city from carrying out a contract with a paving concern for paving repairs at a price more than double that at which the city previously had done the work.

A new régime holds forth in the board of education. Politics has been eschewed. The board recently requested the Chicago Bureau of Public Efficiency to make a full investigation of school finances.

When it became apparent that the estimated revenues would fall far short of the proposed expenditures for the current year, a message was received from the mayor somewhere in the north woods calling upon the various departments to cut their budgets by prescribed amounts.

With more than two years of his term remaining, Chicago sees evidences in recent events of a new deal in municipal affairs and optimistically hopes that Mayor Thompson will aid, or at least permit, civic leaders to work out solutions for many pressing problems relating to the city's metropolitan development.

THE VIRGINIA REORGANIZATION PROGRAM

BY ROBERT H. TUCKER

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A concise and interesting appraisal of Governor Byrd's reorganization program, by a member of the commission on simplification and economy of 1922–24, and of the special citizens' committee of 1927. ::

On June 19, 1928, the voters of Virginia ratified amendments to the state constitution which changed the basis of the administrative structure of the state government, introduced the principle of the short ballot and executive appointment of the state administrative heads, and, through the removal of detailed restrictions existing in the fundamental law, opened the way for the reorganization of county government.

The action on the state constitution had been preceded by the adoption of a substantial body of legislation looking to the reform of both state and local administration. This consisted of twenty-five or thirty measures passed at the legislative session of 1926 and designed to strengthen the lines of administrative authority in the conduct of state and local affairs; of the Administrative Reorganization Act of 1927, which abolished more than thirty offices, boards and commissions, and coördinated the state functions under twelve administrative departments; and of several supplementary measures adopted at the legislative session of 1928. The legislation looking to administrative reform is an essential part of a still larger program designed to reconstruct the state tax system, to remodel the state educational system, and to promote the industrial and commercial development of the state.

Virginia has adopted in the past three years a volume of sound, con-

structive legislation unequaled in any similar period in recent generations, perhaps in all its history. This result has been achieved largely through the able and effective leadership of Governor Harry F. Byrd. It is also a manifestation of the economic, social and political awakening now discernible in all parts of the state.

PRELIMINARY INVESTIGATIONS AND REPORTS

The question of governmental reorganization is not new. This question has been before the general assembly and the people of the state for more than a decade, resulting in the appointment of numerous commissions to investigate one phase or another of state and local government. Two of these in particular—the commission on economy and efficiency of 1916 and the commission on simplification and economy of 1922—directed attention to the need for administrative reform.

The commission on economy and efficiency pointed out the disorganized condition of the state government and the need of constitutional change. Its proposal of a state budget system was carried out in 1918 under the leadership of Governor Westmoreland Davis.

The commission on simplification and economy confined its investigation to the administrative structure of the state government and to the more general features of county government, and submitted a comprehensive report to the general assembly of 1924. Its recommendations included a number of measures looking to the correction of individual administrative defects; a plan of immediate partial consolidation of the state administrative agencies into twelve departments; and amendments to the state constitution designed to prepare the way for the complete reorganization of state and county government.

The report of the commission on simplification appeared too late for full consideration at the 1924 session of the general assembly. Few of the commission's bills—nearly forty in number—passed the stage of committee consideration. The proposals, however, aroused wide interest and discussion. Simplification and economy became an issue in the campaign of 1925, and both candidates for the governorship committed themselves to administrative reform.

GOVERNOR BYRD PROPOSES REORGANIZATION

On February 3, 1926, two days after his inauguration, Governor Byrd presented a notable message to the general assembly on the subject of simplification of government in Virginia. This message reviewed the existing conditions and urged specifically: (1) amendments to the state constitution provid-

Governor Harry F. Byrd

ing for the short ballot, the elective state officers to be limited to the governor, the lieutenant-governor and the attorney-general; (2) the appointment of all administrative heads by the governor, who should be made responsible for administrative efficiency; (3) the abolishment of many bureaus, boards and departments and the grouping of the rest into eight or ten departments; (4) an efficiency survey, to be made by an outside agency, free of personal and political considerations. These recommendations were accompanied by a number of other less sweeping proposals affecting both state and local government.

THE LEGISLATIVE PROGRAM OF 1926

The legislative program of the 1926 session of the general assembly was set in this broad framework. It consisted of an imposing array of twenty-five or thirty measures designed to simplify and facilitate administrative procedure, to promote efficiency and economy, and to prepare the way for administrative reorganization. On the side of the state these measures included the reorganization of the state tax department, with extensive reductions in the number of local assessing officers; the consolidation of several state agencies; and resolutions amending the state constitution with a view to the adoption of the short ballot. On the side of local government, they covered such subjects as the preparation of annual budgets, uniform accounting, tax levies, compensation of fee officers, and local bond issues.

The outstanding measures of the session, however, were an act empowering the governor to appoint a commission to propose amendments to the state constitution, and an item in the general appropriation act carrying a grant of $25,000 for an expert survey of state and county government. Following this legislation a committee of distinguished citizens, headed by Judge R. R. Prentis, president of the Supreme Court of Appeals, was appointed to revise the state constitution, and the New York Bureau of Municipal Research was retained to conduct the survey of state and county government.

THE SURVEYS AND REPORTS OF THE NEW YORK BUREAU

The surveys of state and county government, which were made under the direction of A. E. Buck of the New York Bureau's staff, were conducted during the period from May, 1926, to January, 1927. The procedure included a careful analysis of the constitutional and statutory provisions relating to the various governmental functions, then a discussion of the activities of each governmental agency with the official or board in charge, and, finally, a detailed first-hand examination of the various divisions or phases of the work. This was supplemented by staff conferences and by general conferences with the state authorities and others who were in a position to advise as the work progressed. In this way each function, each part, so to speak, of the governmental machine, was carefully inspected and tested, and rejected or placed in its proper position.

The result was two reports—one on the organization and management of state government in Virginia and the other on county government in Virginia—which are models of their kind. Thorough in conception, comprehensive in form and impartial in approach, they constitute a veritable textbook of efficient government as applied to conditions in Virginia. In very few instances, and these relatively minor ones, could the proposals of the authors be seriously questioned. The reports have won to an unusual degree the confidence of the people of the state.

THE PROPOSED PLAN OF STATE GOVERNMENT

The report on state government emphasized the complexity of the state organization, with its ninety-five offices, boards and departments, and outlined a thoroughgoing plan of reorganization, developed along the generally accepted lines of the elimination of elective administrative officers, the consolidation of state functions into a limited number of administrative departments, each responsible to the governor, and the internal organization of these departments on a functional basis. Emphasis was also placed upon scientific financial planning and control.

According to this plan, seventy-five existing offices, boards and other agencies would be abolished and their functions concentrated in the governor's office and eleven state departments, as follows: finance, taxation, industrial relations, corporations, highways, conservation and development, health, public welfare, education, agriculture, and law.

Each department would be headed by a single commissioner, appropriate boards for the exercise of quasi-judicial functions being established within the departments of corporations and industrial relations. Advisory boards are proposed in connection with several other departments. Detailed provision is also made for the internal organization of all the departments, and for the setting up of the appropriate functional divisions.

The most valuable part of the report is the section devoted to financial organization and operation, which it characterizes as "perhaps the worst feature of the Virginia state organization." It was found that the financial functions of the state were scattered among sixteen offices and agencies, involving numerous "special" funds and a hopelessly complicated and wasteful system of accounting. To meet these conditions, it was proposed to combine the financial functions under two groups: those relating to independent audit, to be placed under an auditor of public accounts; those relating to financial administration, to be placed under a department of finance consisting of bureaus of the budget, the treasury, accounts and control, and printing and purchasing. The report also contains carefully prepared sections on accounting procedure, personnel supervision, classification of positions, and stores and equipment control.

In connection with each department and each major recommendation the report presents a conservative estimate of the annual savings to be effected through the proposed reorganization. These estimates reach the impressive total of $1,366,000.

THE PROBLEM OF COUNTY GOVERNMENT

The report on county government is based mainly upon an intensive study of twelve typical counties selected from the one hundred counties of the state. It is characterized by the same thoroughness as the report on state government. Every phase of the county organization is carefully analyzed and appraised.

The conclusion that in many counties the operation of the government is "grossly political, careless, wasteful, and thoroughly inefficient" is not surprising. Little more could be expected of an organization consisting of thirty or forty scattered offices and boards, appointed or elected in various ways, without definite responsibility or controlling head, without for the most part any coördinating authority whatever. The fault is in the system, and any other result would be little short of a miracle.

The remedy proposed for the defects of county government includes the abolition of numerous offices and boards commonly found in the county organization, and the coördination of the rest under the full control of an elective "county administrator" or of "a county manager" appointed by the county board of supervisors.

The plans also include the coördination of state and county authority and the elimination of the present fee system. The problem of the "poor" county would be met by the direct consolidation of counties or by the creation of administrative areas in which certain county functions would be concentrated under one administrative head.

The details of county government have long been embedded in the state constitution. This condition has been removed by the recent amendment empowering the general assembly to establish optional forms of county government, as has long been the case with respect to the cities. The reorganization of county government in Virginia, however, will doubtless prove to be a slow process. The present form of county government, involving the positions of many of the most influential officeholders of the state, is intrenched not only in organized political strength, but in all the personal ties that naturally exist in small communities.

PARTIAL REORGANIZATION OF THE STATE GOVERNMENT

With respect to state government the problem is simpler. Soon after the New York Bureau's report appeared in 1927, it was presented to a citizens' committee of thirty-eight members, headed by William T. Reed, a prominent business man of Richmond. The committee studied the report with a view to adapting its proposals to existing conditions and to making specific recommendations to the governor and the general assembly. These recommendations followed the general plan proposed in the New York Bureau's report, but with important modifications.

On March 16, 1927, the general assembly met in special session to consider the recommendations of the governor and the reports of the Prentis and Reed committees. Constitutional amendments amounting in effect to a complete revision of the state constitution were approved; and the proposals of the Reed Committee were embodied, again with important modifications, in the Administrative Reorganization Act, part of which became effective August 1, 1927, and the rest on March 1, 1928.

The reorganized state government consists of the governor's office, and twelve departments, as follows: finance, taxation, corporations, highways, conservation and development, health, public welfare, education, agriculture, law, labor and industry, workmen's compensation.

The act sets up divisions of the budget, records, military affairs, buildings and grounds in the governor's office, and divisions of the treasury, accounts and control, purchasing and printing, and motor vehicles in the department of finance. As to the internal organization of the other departments the act provides that the details of each department, not requiring legislative action, may be taken up by the governor and the departments concerned in connection with the preparation of the budget.

Under the provisions of the act, about thirty agencies, the majority of these being ex-officio boards, are abolished. The offices of the secretary of state, the second auditor, and the state accountant were the most important offices abolished.

The most important single change has been the reorganization of the state's financial system and the establishment of an advanced system of accounts and control. This action included the abolition of forty-eight "special" funds, the requirement that all the revenues of the state or its departments and institutions shall function through the state treasury, and provision for a complete system of accounting control. Under the new accounting system, which was devised by Francis Oakey of New York City, a daily statement is placed upon the desk of the governor, showing the condition of the state's finances. A quarterly budget has also been established, thus giving the governor closer supervision over the state's activities. The whole procedure affords a marvelous contrast with the older system which for the most part provided for only a two-year control. The new financial system alone would justify the trouble and expense involved in the reorganization.

SOME DETAILS AND ANOMALIES

Some details and anomalies of the reorganization are worthy of special notice. The department of finance is without an administrative head, its four divisions being in effect independent departments. The department of conservation consists of a group of three separate commissions. In place of the proposed department of industrial relations, two departments were created, namely, the department of labor and industry and the department of workmen's compensation. Only a beginning was made toward creating a department of public welfare, and nothing could be done with respect to the department of education on account of existing constitutional restrictions. The assessment of public service corporations for purposes of taxation was left in the hands of the state corporation commission, and the location of other divisions is open to question. Numerous boards and commissions are retained and attached in various ways to the different departments.

It should be recalled, however, that some of the conditions mentioned above have been bound up in the problem of constitutional change. No doubt these defects will be corrected, now that the new constitution has been adopted, opening the way for reorganization in every detail, and providing for the "short ballot," with the governor, the lieutenant-governor and the attorney general as the only elective state officers. The governor's appointments of administrative heads are subject to confirmation by the general assembly.

RESULTS OF THE REORGANIZATION CHANGES

Of the results of the reorganization changes it is perhaps too early to speak. Many of the changes have become effective only in recent months. Already it is estimated that the changes accomplished are resulting in an annual saving of $800,000, much of which is attributable to the reorganized state administration; and already there are evidences of improvement in the daily administration of the various functions of the government. In 1928, for the first time, the budget provides for a reduction of administrative expense, despite the fact that the activities of the state are being constantly enlarged. As an illustration of what may be accomplished when the plan of reorganization is applied to all the departments, may be taken the record of the state tax department, where, through the activities of an able commissioner, tax procedure has been simplified and improved, and more than a million dollars have been added to the revenues of the state, while the costs of administra-

tion have been reduced by $85,000 a year.

Of equal importance has been the unity of spirit with which the program has so far been carried out. The proposed constitutional amendments, especially the short ballot proposal, aroused considerable opposition, but the legislative side of the program was carried through almost without dissent. The administrative reorganization act of 1927 passed both houses of the general assembly by a practically unanimous vote.

FURTHER REORGANIZATION NECESSARY

These notable results, however, should not obscure the fact that the reorganization is in progress, and not yet fully accomplished. Apart from the problem of county government there is still much to be done with respect to the state organization, and the next three years promise to be even more crucial in the affairs of the state than the past three years have been. There must be a full recognition of the steps yet to be taken if Virginia is to reach the goal of complete and effective reorganization. These steps may be summarized as follows:

1. The consolidation of the various labor, conservation, and welfare agencies into three well-organized departments.

2. The creation of an administrative head for the department of finance.

3. The internal organization of each of the state departments into appropriate functional divisions, each major division to be headed by a responsible director or chief.

4. An occupational survey in all the departments and a scientific classification of positions.

5. The establishment of a system of personnel supervision, including appointment and promotion by merit and reasonable security of tenure.

6. The correction of certain anomalies of organization, mentioned in a preceding paragraph, and the appointment of the remaining administrative heads, as provided by the amended constitution.

The need of these further reorganization changes is fundamental. Obviously there is no sound reason for not applying, to the agencies concerned with labor and industry, conservation and development, and public welfare, the same principles that have been applied to the other departments and agencies. Besides, the consolidation of these agencies into well-organized departments would not only promote efficiency, but make possible a saving of at least $200,000 a year. Effective internal organization, with a correct adjustment of positions and work, is in many ways more important than overhead administrative organization. Likewise the need for reasonable security of tenure is self-evident. To leave this matter open would not only impede the work of the various departments, but would invite, if not make inevitable, the creation of an extensive political machine.

That the program will be carried to completion at the 1930 session of the general assembly there is little reason to doubt. The restrictions of the state constitution no longer stand in the way. To falter or delay at this time would be fatal. On this point the experience of the American states is clear. The states that have contented themselves with piecemeal reorganization have usually spread the process over a decade or more without achieving substantial results. On the other hand, the states that have effected complete and thorough reorganization have realized at once vast savings in administrative expense, together with

the incalculable benefits of increased efficiency and more orderly processes of government. Moreover, Virginia is on the threshold of an unusual industrial and social development. The governmental organization must be still further strengthened if the state is to function as a great business corporation and meet effectively the opportunities and responsibilities of the future.

A NEW BOOK ON THE APPRAISAL OF URBAN LAND AND BUILDINGS

BY PHILIP H. CORNICK

National Institute of Public Administration

A review of a book which blazes new trails for the city assessor. ::

Until about ten years ago, it was considered fashionable for cities to prepare and publish assessor's manuals for the information and guidance not only of the local assessors but of the property owners as well. A few of these were excellent pamphlets; others were hastily prepared imitations of one or more of the better pamphlets in the field; a few offered deliberate variations in form from their predecessors, frequently on the quite unfounded pretext that their authors had found by careful research a depth curve or a corner rule which fitted local conditions better than any of the rules used elsewhere. At best, the majority of these manuals served no useful purpose beyond providing sets of rules for local distribution which were not readily available in printed form; at worst, they added to the prestige in local political circles of their sometimes incompetent compilers, and strengthened their hold on their jobs. Regardless of the minor variations within them, their line of descent could be traced to the Somers system, the New York City and Newark systems, and the Lindsay-Bernard system of Baltimore. Few contributed anything new that was of great importance, or questioned anything old no matter how unimportant.

John Zangerle of Cleveland was the first man to build up an eclectic system, taking the best wherever he found it, and—when the best in his opinion was not good enough—filling in the gaps with the results of careful and intelligent computations based on painstaking research. Under his guidance, the valuation of urban property for purposes of taxation may be said to have attained its majority, and to have gone out to do its work in the world as a whole, and not simply in the narrow confines of one municipality or in the hands of one firm. His system was designed to work in any city, and the influence of his book has been marked from coast to coast not only among assessors but also among real estate men and appraisers.

In a current publication by the Municipal Administration Service on "The Appraisal of Urban Land and Buildings—A Working Manual for City Assessors," by Cuthbert E. Reeves,[1] it is believed that the work of integration and expansion, initiated by Mr. Zangerle, has been carried a little bit

[1] Published by Municipal Administration Service, 261 Broadway, New York City.

further in one or two important aspects. In his work as adviser to several large cities on complicated problems and in the course of his installations of comprehensive systems for small municipalities, Mr. Reeves has been led not only to a more complete systematization of his methods in certain fields than is to be found in any current work on the subject, but also to the rejection of certain practices whose advocacy is so general that even to question them will appear to be heresy to the more orthodox students of the problem.

VALUATION OF LAND AND BUILDINGS

The publication is divided into two major parts, the first dealing with the valuation of land, the second with that of buildings. The text itself is clear and concise, and should prove easily understandable even by students not versed in the technique of appraisals. It is illustrated, furthermore, by an abundance of enlightening charts and graphs, and is accompanied by voluminous tables.

Mr. Reeves deals with the actual problems of valuation and also with the closely related problems of indexing and record keeping. His first departure from orthodox teachings comes in this latter connection. The block and lot system of indexing, which has become almost sacrosanct in the eyes of those whose familiarity with the subject is based primarily on reading, is rejected as unduly cumbersome. Instead, he would index his material by street names filed alphabetically, and by street numbers filed numerically under each street. Because the author has sacrificed the use of supporting data in the interests of brevity, no reference is made in the text to the fact that the system he recommends is already in use. It may not be amiss to state at this point, therefore, that certain cities with perfectly good block and lot systems—Newark, New Jersey, for example—are actually using the street number system because it is more convenient and more easily understood by the taxpayers.

A NEW BUILDING RECORD CARD

The building record card which the author has designed embodies not only all the labor-saving devices which have been adopted in the best cards in use today, but is designed to accomplish one very important thing in addition. Even after a building has been completely described on the usual type of card, the work of classification still remains to be done. On the Reeves card, on the other hand, the mere act of describing the physical characteristics of a normal building automatically places it in a definite class, which in turn indicates its unit cost of reproduction new. Only those buildings whose structural characteristics do not conform to any well-defined type will require the analysis and the exercise of individual judgment, which under current methods are necessary in the case of all buildings.

RULES FOR LAND VALUATION

In his section on the rules for the valuation of land, Mr. Reeves has done a thoroughgoing job in a very brief space. He recommends for use as a depth curve the square root rule—a rule which has made its appearance in a number of publications on land valuations since 1909 under the misleading designations of the London rule, or the Harper-Edgar rule. It has been the official rule of the New Jersey state board of taxes and assessment for a number of years past and, in the form of a "square foot unit foot rule," is also the standard in Washington, D. C. It has the following advantages. It has a constant mathematical relationship be-

tween depth of lot and percentage of unit value throughout; for unit depths of 100 feet, it can be read off any square root table, or for any depth of standard, it can easily be calculated in the field in the absence of such tables; and for all depths between 50 and 200 feet, it conforms very closely to the average of the leading depth curves in use today.

The Reeves monograph presents the rule worked out at intervals of one foot on the basis of twelve standard depths varying from 100 to 500 feet. Except for the minor variations incidental to the rounding out of decimal fractions, the ratios between the percentages of unit value assigned to any two given depths are identical in all the twelve tables. This fact, in itself, is a distinct advantage in applying the depth curve with a minimum of computations regardless of variations in the normal lot depths in the area which is being studied.

CORNER VALUATIONS

In the valuation of corners, Mr. Reeves adheres to the original Lindsay-Bernard rule, first worked out in Baltimore, and later applied in modified form in Cleveland. He agrees with the originators that it can be applied in its most extreme form only on certain types of business corners; he feels that Mr. Zangerle's experiments in Cleveland in modifying the rule for use in other sections of a city are worthy of closer study; but he concludes this portion of his work by reference to instances which would seem to indicate that Mr. Zangerle's modification has not solved the problem. Altogether, it is probable that this part of Mr. Reeves' manual is the weakest part of his work.

LOTS ABUTTING ON ALLEYS

In the sections dealing with the appraisal of lots which abut on alleys or which run through from street to street, and in those which discuss the problems of irregular lots, the reasoning is incisive and leads to definite recommendations. The old merge point rule for the valuation of lots with double frontage on adjacent streets—a rule which has been accepted without question by practically all writers on the subject since Mr. Somers first formulated it—emerges from the analysis a total wreck. The tentative substitute proposed varies from the original at least in the right direction, but its final form will no doubt depend on a careful analysis of the net rentals in the arcade developments which are increasingly common in all of our larger cities—notably, for example, in the long blocks fronting on Euclid Avenue in Cleveland. This part of Mr. Reeves' work suffers somewhat from his otherwise highly commendable efforts at brevity.

CLASSIFICATION OF BUILDINGS

The outstanding contribution, however, which Mr. Reeves has made is in his classification of buildings. The early classification in Newark, New Jersey, for example, made provision for ten major groups based partly on use and partly on elements of construction. These ten groups were further subdivided into a total of twenty-seven subgroups. The Cambridge classification contains altogether 102 classes based partly on use, partly on type of construction, partly on single factors entering into the type of construction. The inadequacy of this classification is sufficiently indicated by the fact that the maximum and minimum unit values assigned to each class vary from one another in several instances in the ratio of two to one. Mr. Zangerle's classification for use in Cleveland divides one-family residences alone into twelve groups and forty

subgroups, based on area covered, number of stories, materials used in outside walls, and detailed specifications for interior finish. Additions and deductions are made for variations from the standard in area covered or in interior details. This classification represented a big improvement over all previous attempts to systematize the comparative valuation of residential buildings.

Mr. Reeves, however, has not only gone into greater detail in analyzing the effect on costs of the frequent variations in those factors on which Mr. Zangerle bases his classification, but he has also worked directly into his basic tables those differences in cost which depend on changes in the shape and size of the ground area covered, the extent of which Mr. Zangerle indicates only approximately in his tables of deductions and additions. Detached, one-family houses alone, in Mr. Reeves' tables, are divided into 137 groups, based on six sets of specifications for structural and interior characteristics, on number of stories, on presence or absence of basements, and on exterior construction. Each of these groups, furthermore, is divided into from twenty to thirty subgroups based on variations in dimensions. The ingenious building classification card to which reference has already been made, and the logical manner in which the voluminous tables are arranged and keyed, make it easy to turn to either the unit cost or the total cost of reproduction new of any building which conforms with reasonable accuracy to the basic normal types. Tables of additions and deductions are provided for the valuation of nonconforming structures. Altogether, the method employed by Mr. Reeves in the preparation of this part of his monograph marks a distinct advance in the attack on the problem of the comparative valuation of structures. The tables should prove useful not only to those charged with the duty of assessing buildings for taxation, but also to architects, contractors, appraisers for mortgage loans and investors.

ALLOWANCES FOR DETERIORATION AND OBSOLESCENCE

Incidentally, the compact paragraphs which deal with the necessity for modifying reproduction costs new by allowances for structural deterioration and economic obsolescence, present in simple and understandable terms the results of the author's wide reading and practical experience. He was wise enough not to attempt to reduce the solution of these phases of the problem to a simple rule, but his clear statement of the nature and causes of both types of depreciation should prove a boon to the officials who are constantly harassed by the necessity for taking them into account.

Altogether, Mr. Reeves' monograph cannot by any stretch of the imagination be classed with the ordinary run of assessment manuals which make their appearance from time to time. On the one hand, it may easily precipitate a merry war among the advocates and opponents of some of the rules and practices it attacks; on the other hand, it has undoubtedly set a new standard for building classifications which will have a profound effect on future publications on that phase of the subject. Most important of all, however, it places within reach of those assessing officials who are caught between the two millstones of involved and voluminous tasks on the one hand, and inadequate appropriations on the other, a compact and complete working manual which should be of distinct service in reducing the routine drudgery of their jobs to a size more commensurate with the amounts available for expenditure.

THE MODEL MUNICIPAL TRAFFIC ORDINANCE

BY C. W. STARK

Secretary, Committee on Municipal Traffic Ordinances and Regulations, National Conference on Street and Highway Safety

The model municipal traffic ordinance, if generally adopted, would reduce confusion and would cut down the number of accidents. ::

Driving from Washington to New York recently, a friend of mine who is thoroughly familiar with and observant of the traffic regulations of Washington first came to grief at Baltimore when he essayed to make a left turn at an officered corner in the manner prescribed in the Washington regulations; namely, pulling into the intersection on the extreme right on the "Go" signal, and waiting for the change of signal. The intersecting streets were narrow, he found it necessary to back to complete the turn, and he was roundly "bawled out" for failing to be in proper position in the center of the street for the turn.

On Broad Street, Philadelphia, he wished to turn left into a narrow one-way street. Realizing this time that there was not room to make the turn according to the Washington method, he attempted to apply the lesson he had learned in Baltimore, and drew up to the center of the intersection. Again he was wrong. This time he should have drawn up to the right-hand curb, stopped before he reached the intersection, and turned when the light was red.

Coming to Fifth Avenue, New York, from a cross street, there was neither traffic officer nor signal light, and it appeared to him that to turn left into the Avenue he must edge slowly across the fast moving streams of southbound traffic. They did not yield, he was soon in trouble, and then he learned that he was expected to govern his movements by a traffic signal two blocks up the Avenue. When it showed red, traffic on the Avenue stopped, and he had ample opportunity to make the turn.

Making a left turn safely and without interfering seriously with traffic at a busy intersection is often a difficult feat, and it is highly important that motorists know exactly how it is to be done. The model municipal traffic ordinance provides a standard procedure for this, and selects as the standard that which is followed in the greatest number of municipalities and endorsed by the majority of the most experienced traffic engineers—turning on the green or "Go" signal from a point near the center of the intersection.

Making left turns is only one of a number of driving operations on which there is at present diversity of rule, and the committee has sought diligently to point the way to making these rules uniform in every community, just as far as it is possible to do so.

WHY A MODEL ORDINANCE?

The National Conference on Street and Highway Safety was organized in the spring of 1924 to seek ways and means of checking the rapid increase in street and highway accidents, resulting at that time in more than 20,000 fatalities annually, probably 600,000 serious injuries, and more than $600,000,000

estimated property loss. The Conference was organized under the chairmanship of Secretary of Commerce Hoover, and has been participated in by numerous national organizations, groups and individuals interested in the humane and economic aspects of the problem.

During the first year eight committees were organized and made reports. A theme running through these reports was the need for uniformity in traffic laws and regulations, and it was the consensus of opinion that not only should the principle of uniformity be emphasized, but working models should be developed to show the way to exact uniformity.

There was therefore organized early in 1925 a committee on uniformity of laws and regulations, and this committee applied itself, working in collaboration with the National Conference of Commissioners on Uniform State Laws, to the development of a uniform vehicle code for adoption by state legislatures. The draft of the code suggested by that committee in its report, like the reports of the other committees working at the same time, was reviewed, modified and unanimously approved by a general meeting of the conference in March, 1926. The revised code was subsequently endorsed by the American Bar Association.

The committee at that time considered the matter of uniform municipal ordinances, and recognized the importance of such uniformity. It felt, however, that the time was not then ripe to work this out—that for the time being such ordinances could best be developed by state and regional conferences in which the participants would mainly be public officials and others thoroughly familiar with the conditions in their particular states. Several such state conferences were held, and model ordinances were developed. But comparison of them showed that they differed widely both in scope and in manner of presentation, and that their adoption by the municipalities in their respective regions would still leave us far short of the country-wide uniformity so desirable. The National Conference on Street and Highway Safety was therefore urged to take up the problem in the same manner in which it had taken up the state code, and in July, 1927, a committee for the purpose was organized.

Study of the problem indicated that there is not, after all, such a wide difference in municipalities but that many standard provisions could well be applied to those of all sizes; and meanwhile an increasing number of municipalities were stating their desire for a model ordinance and their intention of delaying the revision of their own ordinances until such a model was available. The committee, therefore, took courage from these expressions and developed a tentative draft which was distributed to public officials and citizen groups throughout the land, with an invitation to them to criticize it freely.

The returns from these criticisms were extremely gratifying. Many who responded, including a number of police officials from large cities, stated their willingness to take the ordinance as it stood. A few suggested changes were reviewed at a three-day meeting of the committee last July, and changes were made in the draft. Comments received on the revised draft sent out in August reflect the same enthusiasm, with practically no adverse criticism.

PEDESTRIAN AND MOTORIST

Newspaper comment on the model ordinance indicates that one of the subjects in which the public is most interested is the relation of pedestrian

and motorist. Certainly it is one of the most important, with pedestrians contributing two-thirds of the fatalities on our streets and highways. The provisions of the ordinance are not revolutionary, inasmuch as a number of communities have established definite rules for the respective rights and responsibilities of motorists and pedestrians. The ordinance sets forth clearly, however, where and under what circumstances motorists and pedestrians have, and where each must yield, the right of way.

In the absence of police or automatic signals directing him to stop, the pedestrian has the absolute right of way on a crosswalk, and the continuation of the sidewalk lines across an intersection is a crosswalk whether marked or not. At uncontrolled crossings the pedestrian is not to be required to jump, sidestep or sprint to avoid the oncoming motor car. The motorist must slow down, or stop if necessary, to avoid a collision. At controlled intersections the pedestrian who has started on the "Go" signal may continue to the opposite sidewalk or to a safety island, regardless of whether the traffic signal changes, and when he is proceeding legally on a crosswalk he has the right of way over any vehicle making a turn. In return for these concessions, he is required in controlled areas to do all of his crossing at crosswalks, and must yield the right of way to vehicles if he crosses the street elsewhere than on a crosswalk in uncontrolled areas.

Recognizing two schools of thought on the question of whether the pedestrian should absolutely obey traffic signals, the model ordinance offers the alternatives of merely requiring him to yield the right of way to vehicles proceeding lawfully over crosswalks, or requiring him to obey the signals as religiously as the motorist must. Both methods have their staunch advocates, and probably no single rule will fit all communities.

AUTOMATIC TRAFFIC SIGNALS

Traffic signals, and the number and meaning of signal colors, are in great need of standardization. The committee, recognizing that quite a few cities use two colors only, has concluded nevertheless that the logic as well as the trend is toward three colors, and that the use of only two colors results inevitably in giving the red light a dual meaning and introducing a serious element of danger.

The model ordinance provides, therefore, that red shall unequivocally mean to stop before entering the intersection, and to remain standing until the green appears. Yellow, which will always precede red in the three-color system recommended by the committee, will eliminate the excuse for entering the intersection on the red "because he could not stop," although he may enter and cross the intersection on the yellow if he is so near the intersection when the yellow first appears that he cannot stop. Green will obviously mean permission to go.

The ordinance calls for the so-called "split yellow"—showing yellow after green but not after red. It was felt that there is no need to warn the standing motorist that he is about to receive a green light; that the disadvantages outweigh the advantages, and that such use of yellow encourages "jumping" the lights.

While, as above stated, the committee recommends the three-color system, it recognizes that two colors only are used in a number of cities, and suggests a form of alternate provision defining the meanings of the two colors as nearly as possible in harmony with the meanings in the three-color system.

The committee recommends that none of these colors shall have any

other meaning, and that if it is desired to show other indications, such as an interval for pedestrians alone, some other color or colors should be used. The ordinance provides, however, for the use of a green arrow when a turn in a certain direction, that would otherwise be prohibited, may be made.

In its accompanying text the committee outlines what should determine where signals should be installed and discusses different types of signal systems, as well as lengths of cycles, methods of making turns, special signal indications, and location of, and specifications for signals. This discussion is based on a forthcoming report of a committee on street signs, signals and markings of the American Engineering Council, with whose work the committee has been in close touch.

PASSING STREET CARS

Another of the important provisions of the model ordinance has to do with overtaking and passing street cars. The ordinance prohibits overtaking a street car on the left elsewhere than on a one-way street, but recognizes that the relative position of tracks and roadway may be such as to warrant an exception which can be definitely specified.

Street cars loading or unloading passengers may be overtaken only where safety zones are provided, and then only with due caution for the safety of the car riders. The practice prevails in some cities of permitting such passing in the absence of safety zones at what is regarded as a safe distance from the street car. The ordinance does not sanction this practice, as the committee believed that neither the safe distance nor a safe speed in passing is generally observed. The motor vehicle must therefore stop behind the nearest door or running board of the street car and remain standing until the passenger has boarded the street car or reached a place of safety.

Opinion has differed as to whether or not the track alongside a safety zone is part of the zone. The committee holds that it is not, and that in the absence of definite prohibition a motor vehicle may pass the safety zone on the car track. If a community wishes to prohibit this, whether by special enactment or by power delegated to the traffic authority, the committee believes that it should be required to erect a sign directing traffic to the right at each point where that is required.

OVERTAKING OTHER VEHICLES ON THE RIGHT

Whether overtaking and passing other vehicles on the right should be permitted was discussed by the committee at considerable length. Knowing that this is being done frequently in city streets, without evidence that it is directly causing accidents, a number of members of the committee felt that it should be legalized. The prevailing view, however, was that it is essentially a dangerous practice and should not be endorsed. If to legalize it would be merely to remove from otherwise law-abiding drivers the stigma of being law-breakers when overtaking carefully on the right under safe conditions, the proposal to legalize this would possibly have been sustained. But the plan would be more far-reaching. It would necessarily impose upon the operator of a vehicle being overtaken a duty to refrain from doing exactly what he is required to do when he hears a horn behind him on a two-lane open road; namely, swing over to the right as promptly as possible. If overtaking on the right is legalized, the operator overtaken has a heavy responsibility not to swerve to right or left until he sees that it can be done safely; and we have no

assurance that the general run of operators will exercise this precaution.

Another factor in bringing the committee to its decision was that the uniform vehicle code prohibits overtaking on the right, and no state has legalized it; and therefore to authorize it in the model ordinance would be to propose a new and questionable departure from existing law. As a result of its action, therefore, the committee merely omits reference to the subject in the ordinance.

It appears, nevertheless, that a rigid interpretation of the prohibition, where there are multiple lanes of traffic definitely established, is virtually unenforceable and unnecessary. The committee points to the desirability of establishing lanes of traffic in wide thoroughfares, in which cases it can be assumed that the vehicles in each lane may proceed in a straight line irrespective of the rate of speed of those in adjoining lanes.

RIGHT OF WAY AT INTERSECTIONS

The right of way rule at intersections, one of the most difficult of rules to frame equitably, and numerous conflicting versions of which beset motorists at the present time, has been written in a new, simple and, it is believed, enforceable form in the model ordinance. The vehicle entering the intersection first is given the right of way. Only when two vehicles enter at the same time is the operator on the left required to yield to the operator on the right. This wording, I believe, will overcome the tendency of motorists on the right, who have not yet reached the intersection, to speed up and dash across the path of the operator proceeding slowly in the intersection. It is pointed out that as a matter of enforcement the courts have generally given the verdict to the operator first in the intersection in such cases, regardless of the exact wording of the provision.

The ordinance makes it clear that the protection of through streets by stop signs does not give traffic on the through streets an unlimited right of way. There has been lack of uniformity in the wording and uncertainty as to the meaning of through-street stop provisions. The ordinance provides that after the operator on a cross street has come to a full stop the usual right of way rule prevails, and he is entitled to a reasonable opportunity to filter into or across the through-street traffic.

STOPPING, LOADING AND PARKING

For what is believed to be the first time the committee has drawn clear-cut distinctions between merely stopping, parking, and standing motor vehicles for loading, and has imposed reasonable limitations on each.

At certain points, as within intersections, on crosswalks and sidewalks and alongside safety zones, stopping, even momentarily, for any purpose whatever is prohibited, except when necessary to avoid conflict with other traffic or in compliance with police or traffic signal directions. The traffic authority is empowered to designate passenger zones at which no vehicle may stop longer than is necessary for the expeditious loading or unloading of passengers; and loading zones at which either passenger vehicles or trucks may stop, but only for expeditious loading or unloading. In no case shall a stop for loading or unloading of materials exceed thirty minutes, and parking for any other purpose in either type of zone is prohibited.

The traffic authority is also authorized and required to designate bus stops, taxicab stands and hackney stands. Other passenger vehicles may stop temporarily in such places while actually loading or unloading passen-

gers, but otherwise they are for the exclusive use of the vehicles for which they are designated, and these vehicles may not stop elsewhere except temporarily while actually loading or unloading passengers.

To these prohibitions against parking, the definition of which excludes vehicles loading or unloading but makes no distinction whether or not the vehicle is occupied, are added optional forms of provisions prohibiting parking in certain places, limiting the parking time in designated places, prohibiting parking between certain hours in designated places and prohibiting all-night parking. The committee recognizes that individual communities may desire to omit any or all of these latter provisions.

OTHER PROVISIONS

The model ordinance contains numerous other provisions, such as those limiting backing, limiting turning around, prohibiting railway trains and street cars from blocking streets, and prohibiting various dangerous practices on the part of drivers, pedestrians and children in the streets; provisions for the designation of through streets, one-way streets and the like, and standard provisions requiring obedience to the police and designating the responsibility for signs, signals, emergency regulations etc.

The ordinance proper is confined to the provisions which either are not ordinarily found in the state law or which need amplification to adapt them to municipal conditions. The committee believes that, except where necessary to meet constitutional or enforcement requirements, the provisions of the state law should not be repeated in the ordinance. It recognizes, however, that in some states it is necessary to repeat many of these provisions, and it therefore presents those which in such cases may well be repeated. These are provisions found in the uniform vehicle code, and it is obvious that in some states having laws not in harmony with the code the provisions, if used in the ordinance, will require modification to bring them into harmony with the state laws, unless it is possible to secure prompt revision of the state law by the legislature to make it in accord with the uniform vehicle code. This would also make possible the desired uniformity as between municipalities in different states.

The committee also suggests a form of supplementary ordinance to create an official traffic commission, one to create a division of traffic engineering and one to control roadway and sidewalk obstructions. The main and supplementary ordinances are accompanied by text matter explaining the purposes of the provisions, and the committee points to the great desirability of organized study of the traffic problems of each community, including sound and continuous technical advice.

THE TAX SITUATION IN CHICAGO

BY HERBERT D. SIMPSON, PH.D.

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A narrative of the struggle leading up to the order for reassessment of all real estate in Chicago and Cook County. :: :: :: ::

In previous articles,[1] the general inequalities of assessment in Chicago have been analyzed. Flagrant inequalities have been shown to exist among different classes of property, among different districts in the city, and among individual property holders. Some of the causes of these inequalities have been discussed, particularly the arbitrary process of revision practiced by the board of review; and some of the results of the system have been pointed out, such as the exploitation of the tax machinery by political organizations, the activities of professional "tax fixers," the general attitude of suspicion and contempt on the part of taxpayers for everything connected with the tax system, and other unfortunate conditions, political and moral, that are directly traceable to the machinery and operation of the tax system.

THE JOINT COMMISSION ON REAL ESTATE VALUATION

In the midst of these conditions the Joint Commission on Real Estate Valuation, referred to in a previous article, was created. It was composed of members of the board of review and board of assessors, other government officials, and the representatives of business and civic organizations, including President Scott of Northwestern University and Professor Viner of the University of Chicago. George O. Fairweather, business manager of the University of Chicago, was chosen as chairman. John O. Rees, formerly with the New York Bureau of Municipal Research, was secured as executive secretary of the commission. The official members declined to participate in the meetings or work of the commission, almost from the first, so that it became virtually a citizens' organization.

The commission mapped out as its first undertaking an investigation of the actual facts of the situation, under the direction of the present writer, the results of which have already been indicated. The board of review refused access to the assessment records, an access that was later secured through the courtesy of the board of assessors.

Conferences were arranged with the board of assessors and hearings with the board of review, in the hope of securing the adoption of some improved methods for making the quadrennial assessment of 1927. In this the commission was unsuccessful. The election of the Thompson administration in April, 1927, only strengthened the assurance of the groups in control of the tax machinery, and the assessment was made in the old way—with even more than the usual haste and confusion on account of the increased number of properties. The assessors did not complete their work until the end of October, after which it appears that from 75,000 to 100,000 complaints were filed. The board of review heard some of them; most of them were still un-

[1] National Municipal Review, September and October, 1928.

heard by the first of January, when taxes had to be levied upon the assessment.

Meanwhile the survey of assessment methods and results for the quadrennium ending with 1926 had been completed, and a preliminary report of results was issued in June, 1927—after these results had been presented to the board of assessors and an opportunity to present them to the board of review had been requested.[1] These results were included along with other materials in a preliminary report of the joint commission to the board of county commissioners in July.[2]

Wide publicity was given to these results by the daily papers and by trade journals and other publications. All of the daily papers carried vigorous editorial comment upon the situation, and the keenest interest in the facts themselves was manifested by business and civic organizations and by citizens generally.

Under the auspices of the joint commission, conferences and meetings were arranged at which the facts could be presented in a plain businesslike way, with opportunity for frank and open discussion of the conditions and of means for remedying them. In this way the results of the study were presented to the Association of Commerce, to various local chambers of commerce throughout the city, to property-holders' associations and community organizations, to the city and county real estate boards, to the Chicago Bar Association, the Building Owners' and Managers' Association, to various divisions of the League of Women Voters and the Federation of Women's Clubs, and to scores of teachers' associations, churches, clubs, forums, and other groups. More than a hundred such meetings were held throughout the city during the following year. In this work the Chicago Federation of Civic Agencies was particularly influential in bringing the subject to the attention of its constituent organizations and in providing opportunity for presenting the facts.

Meanwhile the state tax commission, under the chairmanship of William H. Malone, had taken cognizance of the situation at a hearing held in Chicago, November 10, 1927. At this hearing the formal complainant was the Chicago Teachers' Federation—and thereby hangs a tale of considerable interest.

THE TEACHERS' FEDERATION

The Teachers' Federation, since the days of Catherine Goggin in 1900,[3] had been carrying on a persistent, though fruitless, fight against the tax system in Chicago. Their card of entry had been threats by the Board of Education to reduce salaries, the crowding of children in the schoolrooms, and generally inadequate provision for the needs of the public schools—all on the ground of the impossibility of securing adequate revenues through taxation. The teachers asserted that if it were not for the unscrupulous evasion of taxes and the collusion by tax officials in permitting such evasion, there would be an abundance of money to run the public schools without hardship to honest taxpayers. They had concentrated their attacks largely upon two of the more obvious forms of evasion, although unfortunately the ones most difficult to remedy by isolated treatment; namely, the corporate

[1] *The Assessment of Real Estate for Taxation in Chicago*, by Herbert D. Simpson, published by the Institute for Research in Land Economics, Northwestern University, Chicago.

[2] *A Study of Assessment Methods and Results in Cook County*, prepared by the joint commission on real estate valuation, for the board of county commissioners of Cook County, July, 1927.

[3] *State Board of Equalization et al.* v. *People ex rel. Catherine Goggin et al.*, 191 Ill. 528 (1901).

franchise taxes and the taxes upon intangible property. They had conducted hearings before the board of review, had taken cases before the courts, carrying them sometimes to the supreme court of the state, and had in this way kept up a running fire of attack upon these two elements in the tax system.

Miss Goggin's mantle had fallen upon the shoulders of Miss Margaret Haley, who for many years has been an aggressive leader of the Teachers' Federation and has carried on the fight against flagrant abuses in the tax system. Her criticisms of tax officials and taxpayers have made many enemies; she has commonly been classified as radical, has been charged with attempting to deliver the votes of the Teachers' Federation in accordance with political bargains previously made, and her methods and vocabulary of attack have not always been approved even by those who might not be unsympathetic toward the general objectives of the Teachers' Federation. Her customary reference to the board of review, for example, as "that rat hole" in the county building, is not exactly literary; and yet, in view of the conditions that have been disclosed, the question of precise terminology is perhaps largely an academic one.

In the present situation the Teachers Federation had demanded the employment of a commercial appraisal company for making the quadrennial assessment of 1927. The joint commission had felt that such an appraisal, however meritorious it might be in itself, would be useless if it had to be made over the opposition of the board of assessors and board of review and then left to their mercies afterwards. The commission had, therefore, urged the necessity of developing a leverage outside of Chicago in the form of public opinion throughout the state and of action through the agencies of the state government. The writer had urged such plan of action almost from the first meeting of the commission; and tax students will understand how readily such a development was to be anticipated in view of previous tax history in New York, Michigan, Wisconsin, California, and other states, which have passed through much the same evolution that Illinois is now passing through.

THE STATE TAX COMMISSION

At the hearing before the state tax commission, referred to above, the Teachers' Federation, the joint commission, and other groups united in laying the situation before the tax commission and in urging the commission to take any possible measures to remove the flagrant inequalities of assessment that had been shown to exist. In particular, the tax commission was urged to direct a publication of assessments, in accordance with the provisions of a statute of 1898, which appears to have been a dead letter in Chicago since 1911.

The tax commission was deeply impressed by the facts disclosed and by the apparent indifference of the board of review and board of assessors to the provisions of the statutes governing assessment; and on January 24, 1928, the commission issued an order directing the publication of assessments in accordance with the statute. The board of review and board of assessors questioned the authority of the commission to issue such order, declaring that publication of assessments would cost half a million dollars, that no funds were available for such expenditure, and that in any case the statute implied publication by legal description of properties rather than by name of owner, street number, or other form, as had been suggested by the tax commis-

sion. The commission appeared to be without legal power to enforce its order.

Later hearings were held by the commission in Chicago, at which the evidence of flagrant inequalities of assessment was gone into more fully, and the commission was urged to avail itself of the statute authorizing it to order a reassessment in any district in which it felt that the existing assessment was inequitable. On May 7, 1928, the commission finally ordered a reassessment of all real estate in Chicago and Cook County.

Tax officials immediately questioned the legality of this order, likewise, on the ground that the assessment of 1928 would not be completed until reviewed and acted upon finally by the board of review; and that the tax commission could not order a *reassessment* until the present assessment had been completed. The board of review had not completed its work upon the assessment of the previous year by December 31; and with the increased number of complaints in 1928 there was little likelihood that the board would have its work upon this assessment completed by December 31, 1928. Under present conditions, the same thing seemed likely to recur year after year. In that case, if the tax commission could not order a reassessment in any year until the board of review had completed its work upon the assessment of that year, it looked as if the commission might never be in a position to order a reassessment. On May 29, 1928, the attorney general of the state handed down an opinion, holding the tax commission without authority to order a reassessment until the board of review had completed its work. Under existing statutes, therefore, the tax commission again appeared to be without authority to take any effective measure for remedying conditions in Chicago.

THE LEGISLATIVE JOINT COMMISSION

Meanwhile, a legislative joint commission on taxation had been authorized by the last session of the legislature, before it adjourned in June, 1927, but the governor had taken no steps toward the appointment of the commission. The Illinois Agricultural Association and other groups had for some time been trying to persuade the governor to appoint the commission, which was to be composed of representatives from the senate and house and from business and agricultural groups outside of the legislature. On May 16, 1928, a year after the legislation authorizing it, the governor appointed the members of this commission, with Senator Dailey, of Peoria, as chairman. The day after its appointment the commission came to Chicago; and a week later invited the joint commission on real estate valuation, the Teachers' Federation and other interested groups to present any facts and information bearing upon the Chicago situation.

The commission was apparently much impressed by the facts presented at this hearing and declared itself ready to support any legislation necessary to remedy the situation. Three weeks later the governor issued a call for a special session of the legislature.

THE SPECIAL SESSION

The session convened on June 18. Representatives of the Teachers' Federation, of the joint commission on real estate valuation, and other groups and individuals, were invited to present the facts of the situation before a joint session of the senate and house. Some of the charts included with these articles were shown at Springfield.

The legislature remained in session only five days, but in that time, largely under the leadership of the state tax

commission and the legislative joint commission, two important bills bearing upon the Chicago situation were passed. One of these bills authorized the state tax commission to order a reassessment *at any time, regardless of the stage at which the local assessing bodies might be;* the other provided for the publication of quadrennial assessments of real estate, *specifically requiring that this publication should be by name of owner and street number or other form of address.*

THE ORDER FOR REASSESSMENT

The county commissioners of Cook County appropriated ample funds for the publication of assessments, and the publication was promptly begun. Its effects were startling indeed. From the beginning of the publication to the time of writing the newspapers of the city have been carrying, almost daily, photographs of adjoining properties, frequently properties that appear to be exactly similar, which are assessed at totally different figures. In many cases of similar homes, sitting side by side, one has been assessed at five to ten times as much as the other. It has been extremely effective publicity and has stirred up a vast amount of discussion and of criticism.

As a result of all of these conditions, the state tax commission held a conference in Chicago, on July 19, with members of the board of assessors, representatives of the joint commission, Teachers' Federation, real estate boards and various other groups, after which the commission issued a final and specific order for the reassessment of all real estate in Chicago and Cook County.

At the moment of writing, the board of commissioners of Cook County has just appropriated $800,000 for the reassessment, and the board of assessors is engaged in working out its plans and methods for making this assessment. It has asked the coöperation of the joint commission, of the real estate boards, and various other groups, and appears to be making a sincere effort to bring about an assessment that will be as nearly equitable as can be made in the time within which it must be done.

Injunction proceedings, however, have been initiated in the county court, questioning the legality of the Tax Commission's order; and County Treasurer Harding has announced that he would refuse to authorize payments from the county treasury in connection with the reassessment, on the ground of certain statutory technicalities. These questions will presumably be carried immediately to the State Supreme Court, and may delay proceedings sufficiently to make a reassessment for 1928 impossible.

THE ILLINOIS JOINT TAX CONFERENCE

But meanwhile the scope of the movement has broadened, and in April, 1928, there was organized the Illinois joint tax conference, composed of representatives of state-wide business and civic organizations, including among others the Illinois Agricultural Association, the State Bankers' Association, the State Association of Real Estate Boards, the Illinois Federation of Labor, the State Teachers' Association, and the Illinois League of Women Voters. Omar Wright, of Rockford, since that time elected president of the State Bankers' Association, was chosen president of the tax conference. Mr. Fairweather and other members of the joint commission are upon the executive committee of the Illinois joint conference.

The conference has undertaken, as its first task, to ascertain the actual facts of the tax situation throughout the state. On the basis of these facts, it hopes to develop intelligent public

interest and discussion and to carry on informal conferences among the groups represented in the conference and other groups not now represented, in an effort to work out a moderate but practical program of relief.

Space prevents any consideration of the various proposals that are being discussed throughout the state. Probably all will agree that the worst features of the present situation are the wasteful and inefficient expenditure of public money, resulting in almost confiscatory rates of taxation in some sections of the state; the disproportionate share of the tax burden that falls upon real estate and tangible property; the unlimited opportunity for arbitrary favoritism, discrimination, and coercion which the present personal property tax places in the hands of tax officials; and the general irresponsibility and inefficiency with which present tax laws are administered. Agreement upon remedies will not be so unanimous; but suffice it to say here, that the experience of other states affords abundant guidance in taking steps toward elimination at least of the worst features of present taxation in Illinois.

Opinions may easily differ as to which of various alternatives are the most desirable or most available. After all, with conditions in Illinois as they are today, any one of a half dozen alternatives will afford distinct improvement. The one most essential thing in the present situation is to have an impartial agency that will ascertain the actual facts of the situation, disseminate these facts widely throughout the state, and then afford a medium for continuous conference among the various groups most vitally interested, for the purpose of eliminating minor differences and agreeing from time to time upon at least a minimum of practical constructive improvement. Such an agency now seems to be afforded by the recently formed Illinois joint tax conference.

RECENT BOOKS REVIEWED

FORCE ACCOUNT ON UNIT PRICE CONSTRUCTION CONTRACTS. By Philip A. Beatty. Published by the Philadelphia Bureau of Municipal Research as agent of the Thomas Skelton Harrison Foundation, 1928. Pp. 35.

Thomas Skelton Harrison, a Philadelphian, left the residue of his estate for the improvement of governmental conditions in Philadelphia mentioning specially the dissemination of information on municipal affairs. The trustees of the fund engaged the Bureau of Municipal Research to make a study of the preparation, award, and performance of municipal work contracts.

The subject assigned was essentially technical and, therefore, the monograph written by Mr. Beatty discusses matters which have an appeal for a very limited group. Technicists and students only may find interest in it. The author has undoubtedly given much study and research to his assignment and presents the various types and details of construction contracts of many cities. A student of municipal affairs who is seeking for data on extra work and the way in which it may be checked will find points of interesting information. The report, while prosaic in part, could be made as attractive as "The Relation of Building Height to Street Traffic," a paper appearing in the NATIONAL MUNICIPAL REVIEW for July, 1928, by non-technical presentation.

If city governments in America were aristocracies, such a report might be of immediate value, but with the political conditions predominant in most cities, reports on municipal subjects must be presented in simple and colloquial narrative in order to attract the general public and gather support for the recommendations. Dissemination means spreading ideas and beliefs broadcast and that result is only accomplished by reducing technical phraseology to simple words.

The Bureau of Municipal Research has no statutory power to carry out its recommendations and such studies as it makes are, therefore, academic. The movement started in Massachusetts to create with definite functions and powers boards of overseeing authority such as the Finance Commissions of Lowell, Massachusetts and Manchester, New Hampshire should be studied and encouraged. Only when recommendations have the force of authority behind them can we say that they are of practical use.

JOHN C. L. DOWLING.
Boston Finance Commission.

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GOVERNMENTAL REPORTING IN CHICAGO. By Herman C. Beyle. Chicago: The University of Chicago Press, 1928. Pp. xxiii, 303.

To penetrate the fog enveloping the municipal phase of reporting, Herman C. Beyle took one area, Chicago, and for three years examined the local reports which form a bookshelf "five foot—plus." Under a picture of that shelf (one of many excellent pictures throughout the book), he asks the question which is the major theme of the volume: "How well does this body of reporting meet the demands which may be made upon it by citizens, other officials, and students of government?" The answer is contained in some three hundred pages of the volume entitled *Governmental Reporting in Chicago*. The process of his examination is dissection: the diagnosis is akin to dessiccation.

Mr. Beyle characterizes the reporting system of the city as "spotted with good and bad practice" and as presenting "little or no coördination." The reports of the Board of education remind him "of the proverbial person who failed to see the forest for the trees." For Cook County, "the system is like the outward appearance of an office building at night, mostly dark and with only here and there a bright spot." Ludicrous examples are not lacking. An Oak Forest institution devotes nineteen pages to a report of the number of pounds of rhubarb, the number of bunches of green onions and boxes of spinach raised during the first week of June! Whereupon the official rendering the report either became aghast at the result or made an important discovery, so often and sadly rediscovered, when he commented that "it is difficult to make a hard and fast distinction between things that are of greatest importance and matters of lesser note."

To present an illuminating example to the contrary, an illustration of an attractive report, where does Mr. Beyle go? We might have suspected it. To none other than to "Big Bill, the

Builder." Not the least ingredient in Mr. Thompson's flair for publicity has been his manipulation of reports. For example, he put out health bulletins and a readable booklet entitled, "Chicago—Eight Years of Progress." I take it that the booklet is damnably inaccurate and damnably attractive. But never mind; it tells all about how the robust antagonist of King George toiled mightily for the masses—and it won votes.

The first and primary service of Mr. Beyle is to portray what is public reporting in a metropolitan area. Here the subject is measured with exactitude by a surprising amount of relevant minutiæ. The job needed to be done. No one previously had combined the skill and perseverance to waylay a large city and record her method of public accountancy. The real tribute to the volume, one rarely warranted for a pioneering attempt, is that the job need not be done again. Now we know what happens when any large or thoughtless city disregards systematic accountancy to its public. The author has painstakingly cut through the jungle to survey and diagram the ground. From there on, he and fellow members of the guild may push forward.

I am far from convinced that the author was required to exhibit all his surveying tools to his readers. I was taken with a nervous apprehension throughout the reading lest some of the material of the excellent charts would break through the thin lines holding them and bodily occupy the pages of discussion.

The author is not content with showing simply what "is." His familiarity with the subject matter urges him to an advance towards what "may be" by way of two sectors. First, should we not define what should constitute the substance of the reports? Mr. Beyle says "yes." Forthwith he proceeds to ennumerate some twelve parts of a report. The list is a useful catalogue of subjects that may go into reports in general; but it is no guide for preparing any individual report. Its use is in suggesting the nature of subjects that are proper for reporting.

Secondly, a comprehensive analysis is made of the use of reportorial devices. Here he succeeds notably. However the contents of individual reports may vary, all reports partake of a like necessity for effective presentation through whatever devices are available. These methods are discussed with the discrimination required to aid a reporter or editor in choosing devices to strengthen his publication. Since the author is intimately familiar with municipal government and survey methods for its study, his analysis achieves a value for application by public agencies that is almost lacking in the general works on statistics, graphs, and allied topics.

A pointed suggestion for future study is reiterated by the author. To what purpose is reporting if its story is not read because we don't know what are the political interests of voters? The main task, he holds, is to explore "the attitudes of the report's recipients" ("Big Bill" never called his voters by that name). The study would become "an analysis of the nature of political interest, with a view to the determination of what are the approaches to reporting to the citizen, and of how reporting (can) direct the citizen's political interest to some avail in the conduct of government."

Wylie Kilpatrick.

University of Virginia.

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Carter Henry Harrison, I, Political Leader. By Claudius O. Johnson. Chicago: The University of Chicago Press, 1928. Pp. xii, 306.

Here we have the second of the studies in leadership prepared under the direction of Professor Charles E. Merriam. Dr. Johnson has taken the career of Chicago's famous World's Fair Mayor and subjected it to searching analysis. This book ought to find favorable reception. It is a clear-cut, objective, unimpassioned treatment of a difficult subject. The rollicking, gallant Carter Harrison, friend of the masses, protector of anarchists, and idol of the libertarians, emerges as the equally good friend of business, the loyal patriot and the able administrator.

Dr. Johnson's study is valuable because he has availed himself of the suggestions of psychologists and sociologists without falling prey to their seductive phraseology and facile generalizations. His treatment of his subject is divided into three parts—Background, Traits, Technique. In the first section he inquires into the ancestral record and early environment of the Mayor. The author finds that the illustrious family name of the Harrisons and the Carters, their wealth, prestige, and exceptional social position had a likely influence on the subsequent fortunes of the Mayor. He does not say, however, that Harrison derived this or that specific trait from this or that ancestor. It is enough to know that the ancestral background was propitious to the development of Harrison's gifts. He does not

say that Yale graduates, for instance, occupy preferential positions in reference to the Chicago mayoralty, but he does observe that residence abroad equips a potential urban leader with significant attitudes of toleration and respect for the "foreign-born."

Dr. Johnson lists some forty physical characteristics and mental and temperamental traits, most of which meet with approval. The advantage of this method is that it enables the social scientist to single out the traits in potential leaders which it would be desirable to suppress and those which it would pay to encourage. The third section is a discussion of technique—the "traits in action," At this point the followers of Henshawe Ward and the "practical politicians" will raise their eyebrows. Is politics an art that defies minute analysis? Are their too many variables in the conduct of a leader and the environment within which he operates? This reviewer does not believe so; and Dr. Johnson's analysis of the Chicago background reveals an urban environment which it seems might be approximated elsewhere. If we have any misgivings it is whether the libraries and the stockyards of Chicago are deserving of the special notice which is given them. Ought not studies of urban backgrounds to stress the typical rather than the peculiar? But perhaps we should wait until other similar studies have appeared before entering this objection.

The text is fairly free from typographical errors and minor mistakes. On the whole one must applaud Dr. Johnson's selection and presentation of facts and opinions.

Roy V. Peel.

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Charities and Corrections, Jackson County, Missouri. A survey of the Welfare Activities of the Jackson County Government. Kansas City Public Service Institute, March, 1928. Pp. 203 (mimeographed).

This report embodies the findings and recommendations of the Kansas City Public Service Institute, which for the past year has been engaged in making an exhaustive study of welfare activities in Jackson County. The work was undertaken by Walter Matscheck, director of the Institute, at the request of the County Court of Jackson County, which is the chief agency for administering the county's welfare services. Mr. Jesse Sealey, of the staff of the Institute, was largely responsible for the investigation and the preparation of the report.

"Charities and Corrections" in Jackson County account for about three-quarters of a million dollars, or one-fourth of all county expenditures. Responsibility for administering the various services represented by this expenditure is divided between the county court and the juvenile court. The county court provides for care of the indigent insane, feebleminded and epileptic, the tuberculous, the aged and infirm, and makes grants in aid to the deaf and blind in state schools and to other dependent and defective persons. The juvenile court is responsible for the care of delinquent and neglected children and for administration or allowances to mothers with dependent children under 16 years of age. As the report points out, this division of responsibility, plus the inevitable invasion of politics, and the increasing administrative burden put upon the county court, which is essentially a legislative body, has resulted in neglect of scientific study of welfare problems and in failure to apply scientific methods of relief. The chief weaknesses of the present system are cited as follows:

1. Lack of strong administrative organization with centralization of administrative authority.
2. Lack of skilled leadership and properly trained personnel, together with poor personnel administration.
3. Lack of social case work and adequate social case investigation.
4. Lack of a scientific accumulation and analysis of information with respect to the social needs and results of the welfare activities of the county.
5. Lack of sufficient coöperation not only among county agencies themselves, but also with private welfare agencies.

To remedy these defects the report proposes that a department of county welfare be established under a director appointed by the county court, and that all administrative authority and responsibility now vested in and assumed by the county court with respect to public welfare activities be reposed in such director of public welfare. Emphasis is placed upon the necessity of employing a director whose training and experience are such as to insure the development of a sound social policy. The report further recommends the establishment within the proposed department of public welfare of a division of statistics and accounts, a division of social case investigation, and a division for each of the county institutions, the heads of these divisions

to be chosen by the director of the department and held directly responsible to him. An advisory council or board is also recommended to consist of the judge of the juvenile court, *ex officio*, and four or more other persons selected by the director of county welfare.

These recommendations are well supported by an exhaustive review of the activities of the county court and juvenile court, together with their relations with other official and unofficial agencies, and an analysis of all available data regarding the operation of the various county institutions now under the control of the county court. Much difficulty was experienced in securing the information desired, either "because it had never been kept or because the records could not be found." But the surveyors have nevertheless been able to present a picture which seems, in the light of the reviewer's experience with county welfare administration, to be highly expressive of its most characteristic defects. The wealth of detail in this report regarding the administration and operation of Jackson County institutions is especially illuminating in its bearing on the reasons for the steadily increasing costs of county government, even though adequate unit cost data could not be secured owing to the lack of properly kept records.

C. E. McCombs, M.D.

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Municipal Reports.—*Brunswick, Georgia. Annual Report for the Year 1927. By E. C. Garvin, City Manager. Pp. 40.*—If municipal reports were appraised on the basis of charts alone this report would stand out in the forefront of any that have yet come to the attention of the reviewer. In the front of the report appears an organization chart, and this is followed by text material and 29 other charts showing graphically almost every type of information from the disposition of police court cases to the accumulated receipts and expenditures by months.

This last chart is quite an innovation in a municipal report and it is drawn in such a clear manner that an administrator can anticipate a complete financial program several months in advance. This one chart together with the implied possibilities it offers as an effective instrument of administration is alone sufficient reason why this report should receive wide distribution.

Other favorable characteristics of this report are its size, length, and attractiveness. The features which are not so commendable are the utter lack of pictures, the omission of table of contents, and the fact that the amount of space accorded the various activities hardly corresponds to their relative importance. However, for anyone not yet aware of the important rôle that chart making can play as a means of serving both the report reader and the administrator, no better evidence is available anywhere.

Cincinnati, Ohio. Annual Report for the Year 1927. By C. O. Sherill, City Manager. Pp. 217.—This report is labeled "Municipal Activities" in place of the usual title, "Municipal Report." While such a title is not a misnomer, still it would seem that report writers might standardize at least on a title. There are two other faults which must be mentioned before passing to an enumeration of the many good features. It contains 217 pages, which is at least four times what one can reasonably expect to be read, and the delay of five months in making the report available to the public will certainly detract from its interest and usefulness.

It would be extremely difficult to pick many more flaws in this report, which excels in many good features. To mention a few—important facts are emphasized, so if one cares only for a general résumé of the work it can be easily and readily attained by a casual reading. This feature could have been used more extensively to good advantage, for there are whole pages without any emphasis being indicated. If there are no important facts worth emphasizing relative to a certain activity, that in itself might be reason enough for eliminating the passage entirely from the report. If some such criteria of importance were applied to report material, much shorter and more interesting reports would probably result. Difficulty enough is encountered in trying to interest the general public even in matters of supreme importance.

In reality this report is so good that small defects are noticeable which in most reports would pass entirely unnoticed.

C. E. Ridley.

JUDICIAL DECISIONS

EDITED BY C. W. TOOKE
Professor of Law, New York University

Counties—Legislative Power to Exclude Park Territory from County System.—In *Yellowstone Park Transportation Co.* v. *Gallatin County*, 27 Fed. (2d) 410, the U. S. District Court of Montana had before it the question of the conflict of federal and state laws affecting jurisdiction over a part of Yellowstone Park situated in Montana. The action was in equity to enjoin local taxation, and the case turned upon the construction to be given to the federal act of 1872 creating the park and to a state statute of 1913 excluding the lands in question from any of the counties of the state. The federal act establishing the park withdrew the lands from settlement, occupancy or sale, and set them apart as a pleasure ground "under the exclusive control of the Secretary of the Interior to make and publish such rules and regulations as he may deem necessary and proper." The act of 1889 provided for the statehood of Montana and of certain other territories "as at present described." The specific definition of the boundaries in the act of 1864 creating the territory included the lands in question, which consisted of the strip four miles wide and one hundred miles long on the southern border of the state. These lands from territorial days were included in Gallatin County, but in 1913 the state legislature, in defining anew the county's boundaries, excluded these particular lands and failed to incorporate them within any other county.

In holding that the lands in question must be considered to be a part of Gallatin County and that the statute was invalid, the court points out that when the state was created its entire area was within organized counties which were declared to continue "until otherwise established or changed by law," that the constitution provided that in all cases of the establishment of a new county it should pay a proportion of the liabilities of the county or counties from which it might be formed and that the legislature was expressly given the power to readjust county lines. The county system thus rests upon a constitutional basis and cannot be disorganized by any act of the legislature.

In disposing of the contention that the federal government has exclusive control, the court holds that this imports only administrative authority to care for the proprietary interests of the United States and does not confer legislative and judicial jurisdiction or political dominion, which it is beyond the power of Congress to vest in the secretary. Such jurisdiction or dominion not having been reserved to the United States in any act of Congress preceding statehood, it follows that the state is vested with sovereignty and jurisdiction over all its area including the national park lands, which cannot be diminished or impaired without its consent.

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Special Assessments—Applied to Ornamental Street Lighting.—In *Fisher* v. *Astoria*, 269 Pac. 853, the Supreme Court of Oregon holds that the city under the provisions of the charter prior to 1926 had the power to erect on business streets ornamental poles for lighting and to assess the cost upon the abutting property. The action was in equity to remove the cloud of the tax lien from the plaintiff's property. At the time the improvement was ordered, the charter gave the city the power to grade, pave, curb and otherwise improve the streets, to delimit districts for such improvements and to assess the cost against the property peculiarly benefited. It further specifically stated that "the power and authority to improve a street includes the power and authority to improve the sidewalks and pavements and to determine and provide for everything convenient and necessary for such improvement." The power was also given to light the streets and to furnish the city with gas, electricity or other lights, and for the erection and construction of such work as might be necessary or convenient therefor.

The plaintiff, relying upon the rule that the power to improve does not include the power of special taxation, contended that the erection of ornamental lights was not a street improvement, but could be justified only as an exercise of the power to light, for which no express power of local assessment was given, and that no benefit aside from that to the general public accrued to the owners of the abutting property. The court

held, however, that as a matter of fact such an installation conferred special benefits upon the abutting property and that it was incidental to the improvement of the streets.

In 1926, subsequent to the erection of the ornamental lighting system in question, an amendment to the charter expressly delegated the power to assess the cost of such improvements upon the abutting property and conferred the authority to make assessments for the cost of such work already installed. The court holds that such authority cured any defect in the power of the city to make an assessment, retroactive legislation not being forbidden by the state constitution.

The broad construction given by the court to the power to improve streets is sustained by numerous decisions. (See *Murphy* v. *Peoria*, 119 Ill. 509, 9 N. E. 895, and *Thompson* v *Highland Park*, 187 Ill. 265, 58 N. E. 328.)

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Special Assessments—Original Jurisdiction of Federal Courts.—The growing tendency of litigants to resort to the federal courts to test the validity of municipal ordinances is no longer confined to public service corporations, but is manifest in the increasing number of cases wherein private persons invoke their jurisdiction by setting up the claim that their rights under the Constitution are being invaded. The readiness of these courts to take jurisdiction is evident in many recent cases, and sometimes the only basis appears to be the assertion of the plaintiff that the given ordinance may deprive him of property rights without due process of law. In *Adam Schumann Associates Inc.* v. *City of New York*, decided in August by the District Court of the Eastern District of New York, the court denied a motion to dismiss the complaint, which set up that the enforcement of a special assessment for sewer construction would deprive the plaintiff of property without due process of law. The assessment in question was graded by zones according to the determination of benefits to the respective areas and the plaintiff's property came in a zone of heavier assessment, which was but two-fifths of the entire district but upon which four-fifths of the cost was imposed. It appeared, therefore, that the evidence in the case might show a proper exercise of the taxing power, as is frankly admitted by the opinion of the district judge. But the court assumes that a *prima facie* case of illegal inequality is made out by the above facts, so as to bring it within the federal statute conferring original jurisdiction and states that "practically it makes little difference in what court house in Brooklyn the parties present their controversy."

Upon the facts and pleadings as set forth in the opinion, we believe the judgment of the district court will be reversed upon appeal; otherwise, we may look for a further extension of original federal jurisdiction far beyond what seems to have been contemplated by the statute (28 U. S. C., section 41). If the principle of the decision is to stand, it means that the owner of any property subject to special assessment by the front foot rule or by any other method has the right to invoke federal jurisdiction by merely asserting that the assessment may deprive him of property without due process of law.

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Traffic Ordinances—Test of Reasonableness.—The control of the courts over the enactment of ordinances is not limited to the question of the power of the municipality to act with reference to the subject matter, but extends to the determination of whether the power so granted is reasonably exercised. While a considerable latitude of discretion is accorded the municipal law-making body so long as the regulations enacted operate uniformly upon all persons similarly situated and are not clearly arbitrary and unreasonable, nevertheless all police legislation is subject to the limitation that it is required by the interests of the public and that the means adopted are reasonably necessary for the accomplishment of the purpose of the enactment and not unduly oppressive upon individuals.

A nice example of the application of the test of reasonableness to the validity of an ordinance is to be found in the case of *Pennjersey Rapid Transit Co.* v. *City of Camden*, 142 Atl. 821, decided by the Supreme Court of New Jersey August 8. The city adopted an ordinance prohibiting the operation of double-decked autobusses, not equipped with pneumatic tires, in and along any street south of Federal Street. The power to pass ordinances regulating traffic was clearly delegated to the city and the ordinance was not discriminatory merely because it might affect the business of only one company (*Morris* v. *Duby*, 274 U. S. 135). But these questions were not pertinent to the decision of the court, which declared the ordinance unreasonable and void upon the ground that the

number of decks on an autobus does not present a substantial basis for classification for regulations to conserve the highways; the weight and not the height of vehicles having the only proper relationship to the purpose of the preservation of the surface of the street. For other cases declaring ordinances void for unreasonableness, the reader may be referred to *People* v. *Gibbs*, 186 Mich. 127, 152 N. W. 1053; *Elkhart* v. *Murray*, 165 Ind. 304, 75 N. E. 593; and *McCray* v. *Chicago*, 292 Ill. 60, 126 N. E. 557.

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Gasoline Storage—Requirement of Sub-surface Tanks Upheld.—The U. S. Circuit Court of Appeals, Eighth Circuit, in *City of Marysville* v. *Standard Oil Co., et al.*, 27 Fed. (2d) 478, reversing the judgment of the district court, upheld an ordinance requiring the storage of gasoline, oil and other inflammable liquids to be in containers buried at least three feet under ground. The ordinance in question was based on a general delegation of the local police power, but the implied power exercised had been upheld by the highest court of Kansas, which finding the federal court accepted as final (*Reinman* v. *Little Rock*, 237 U. S. 171). The ordinance excepted the storage in receptacles of five hundred gallons or less, but permitted only one such container on given premises. It further repealed a prior ordinance of 1914, authorizing large storage tanks above ground, under which the plaintiffs had erected and operated several large tanks for some nine years.

The findings of fact of the master who took evidence in the case were somewhat contradictory; on the one hand that sub-surface storage would lessen the danger from fire or explosion due to lightning or static electricity, and that the base rate for fire insurance would be reduced one-half; on the other hand, that the dangers of leakage and seepage would be so great as to increase the hazard to the other property in the vicinity; upon which was based the conclusion that the ordinance was arbitrary, discriminatory and unreasonable. The circuit court nevertheless thinks that the record presents no evidence of arbitrary or capricious action on the part of the city council, that the city acted in good faith and that the remedy proposed bears a direct relation to the danger sought to be averted. Judge Phillips wrote a vigorous dissenting opinion upholding the views of the master and of the district court.

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Regulations of Business—Control over Advertising.—The charter of the city of St. Louis gives it the broadest powers of control over all persons engaged in business, including the licensing of occupations, subject only to the constitutional limitations on the police power. In *St. Louis* v. *Southcombe*, 8 S. W. (2d) 1001, decided by the Supreme Court of Missouri July 25, the defendant appealed from a conviction for violation of an ordinance making it unlawful for any dealer to advertise goods for sale without stating clearly that he is engaged in the business of selling such goods. The defendant, who had advertised and sold furniture without complying with the ordinance, contended that the ordinance was not a regulation of business, but an attempt to legislate upon something separate and apart from business. The court in confirming the conviction bases its decision upon the obvious fact that the statement required would assist the city officials in discovering persons doing business as merchants without a merchant's license and thus promote the morals, peace, government, welfare, trade and commerce of the city.

PUBLIC UTILITIES

EDITED BY JOHN BAUER

Director, American Public Utilities Bureau

The Five Cent Fare Before the Supreme Court.—The question whether a contract is a contract, or when it is and when it is not, was argued before the Supreme Court of the United States October 15, in the New York City five-cent fare case. The progress of this litigation has been followed in this department. Briefly re-stated, the issue is whether the City of New York had the legal right in 1913 to enter into "Rapid Transit Contract No. 3" with the Interborough Rapid Transit Company in the matter of fixing a five-cent fare. This contract provided comprehensively for the construction and operation of a system of subways. It set forth definitely the obligations and rights of each of the parties; it fixed, particularly, the financial responsibility of each, and prescribed the returns to which each is entitled. The properties are owned by the city, and are leased under contract to the Interborough Company. The latter undertook the operation at a fixed five-cent fare, for the duration of the contract, as a part of the financial plan set up in the contract.

The present litigation involves only the five-cent fare, not the other features of the contract. The Interborough now claims that the city did not have the legal right to enter into a *rate* agreement; that the five-cent fare provision is inoperative, and that the Interborough is entitled to have the fare fixed according to ordinary standards of rate making. In its argument for a seven-cent fare, it seeks to have an 8 per cent return upon the reproduction cost of all the properties, including the elevated and subways, notwithstanding the fact that the two properties are operated as distinct systems, and that the subways are owned by the City of New York and are leased at limited returns to the company. It seems rather incredible that the part that furnished one of the chief motives on the part of the city to sign the contract in 1913 should now be set aside as beyond the contractual power of the city, when all the other parts which are advantageous to the company are accepted as valid. To the lay mind, the contract should certainly be considered as a whole. If the rate part is held invalid, then the entire contract should be dissolved, subject to redetermination.

This is easily the most important case before the Supreme Court in a generation, so far as the rights of municipalities are concerned in dealing with local utilities. The decision will have far-reaching effect, not only among the larger cities in the country, but also upon state and national policy in dealing with the utilities. If the City of New York cannot contract with a company for a fixed rate of fare, certainly other cities which are seeking adequate transportation cannot proceed, through the instrumentality of contracts, to establish long-term policies with complete protection of the public. Likewise, states which have under consideration water-power developments can hardly expect to lease the properties for private operation, by fixing the rates to be charged to consumers. Even the development of Muscle Shoals by the federal government may be affected, if the basis of rates cannot be definitely fixed by contract to protect the consumers.

A decision in favor of the company can hardly do otherwise than to accelerate greatly the establishment of public ownership and operation, especially for power and transportation. So far as the City of New York is concerned, the Company's immediate success is likely to bring about the recapture of the rapid transit lines by the city, and of municipal operation. If, however, the city's contractual right is sustained, there is a strong probability that the inevitable reorganization of transit will be carried out through the medium of a private corporation, under lease from the city, with contractual control over fares.

The same influences are certain to be determinative elsewhere. The larger cities throughout the country must inevitably enter directly the field of transportation, by furnishing financial support. If they cannot protect the public interest by contract, they will hardly have another choice than to proceed, on their own responsibility, with direct public ownership and operation of the properties. This probable development will be quite a different result from

the immediate victory desired by the company. Here, as in other phases of private utility management, the effort is centered upon immediate financial advantages, without regard to ultimate consequences upon the company or industry.

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New Fare Cases.—As was to be expected, the move by the Interborough Company for a higher fare has been followed by a flood of requests from surface companies in New York City seeking like increases. The Transit Commission has been practically swamped with applications and hearings involving higher fares. If the Interborough wins, there will doubtless be a general increase in street railway rates throughout the city. If it loses, the surface lines can hardly charge a seven-cent fare, even if permitted under their franchises and even if the Transit Commission should be compelled under the law to allow higher rates. The surface lines cannot, as a practical matter, charge seven cents or more, when the rapid transit lines are limited to five cents.

The surface lines, which are already seeking an increase in fare, face also this practical difficulty,—whether they would be better off at the higher fare than at the existing five-cent rate. Their traffic consists largely of short-distance riders, who are not greatly dependent upon the service. The expert for one of the companies estimated that the proposed 40 per cent increase in rates would produce a decrease of 30 per cent in traffic. If this is correct, then in that particular case the higher rates would produce slightly less revenues in the aggregate than the existing five-cent fare. The company might possibly effect a slight reduction in operating expenses through the decrease in traffic. On the whole, it would probably be little better off with the 40 per cent increase in rates than under existing conditions.

With this state of facts, there would be no justification for increasing the rates, even if it be assumed that the company is not making a fair return, judged according to ordinary standards of rate making. The same situation obtains with most of the surface lines in the City of New York. It is a practical condition that must receive reasonable treatment. The companies have suffered mostly because they have lost traffic in recent years, while they should have realized great increases with the growth of population and development of business. This failure to develop is due largely to traffic conditions and to changes in transportation requirements. Whether, under these circumstances, a 40 per cent increase in rates will actually produce any financial relief, or will move faster toward complete economic failure, is a practical question whose answer depends upon the coming course of events.

The same situation prevails in practically all cities where the companies are struggling for higher fares. While the conditions are somewhat different where the riders depend regularly for long trips upon the street railways, yet the chief difficulty in the industry as a whole has been the failure of traffic development. This has been due generally to traffic conditions, street congestion, and the slowing down of street railway operation. The changed conditions require a more effective mode of transportation which can better meet the needs of the communities. Any movement that will result in further diminution of traffic will hardly serve to put the industry permanently upon a sound economic basis.

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Proposed Limit to the Jurisdiction of the Federal Courts.—The Interborough fare case has actively revived the discussion and movement to limit the jurisdiction of the federal courts in local public utility cases. One of the features of the Interborough case was the precipitate action on the part of the company to reach the federal court before the city authorities could move to the state courts. While, of course, all courts are supposed to be impartial and just, controlled by established principles of law, actually the company had a preference for the federal court because of assumed advantages.

There has been a widespread feeling that public utility companies have obtained distinct advantages in the federal courts; they certainly have gone there, in preference to the state courts, in numerous rate cases during recent years. It does appear that the federal judges, on the average, have had less regard for the actualities of local conditions than the state courts. They appear, indeed, to be responsible to a considerable extent for the decisions which have greatly reduced the effectiveness of state and local regulation.

In view of the rather obviously unreasonable situation that the very important local matter

in the Interborough case, which depends wholly upon state law and policy, had been hustled to the federal court to escape state jurisdiction, bills were introduced in the last session of Congress to place a curb upon the jurisdiction of the federal courts to deal with all utility cases which arise through local conditions or out of state commission decisions. The bills provide that the first recourse shall be to the state courts; that companies cannot move directly to the federal courts, and thus avoid state jurisdiction; they would be required to exhaust the possibilities of appeal within the state before they could move to the federal courts. They cannot, of course, be denied the right of ultimate appeal to the Supreme Court of the United States. The bills, we believe, merit the support of all municipal and state authorities interested in proper policies and methods of regulation.

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Mr. Young on Street Railway Economics.—At a recent meeting of the Electric Railway Association, Mr. Owen D. Young spoke on the conditions of the street railways. The burden of his message was that the companies should be permitted to pay their way, and that private ownership and operation is a self-checking system in respect to its economic justification. Incidentally, he decried also the practice of absorbing street railway losses through electric rates where both services are rendered by the same company.

Mr. Young is, of course, correct in the general proposition that street railways should be permitted to pay their way, if the traffic will permit. He does not, however, seem to comprehend the basic economic difficulties with which the industry is confronted. He does not appear to see that the entire business is struggling against traffic conditions growing constantly more troublesome, and against the inroad of automobile and bus transportation.

As to the point that private ownership and operation furnishes an economic check upon itself, that is mere language which disregards the realities of the industry. Where is there such an immediate check when a company has a monopoly in transportation, when it is freed from competition, and when it can charge all costs to the public through the rates fixed for service? The prompt working of the supposed check has not been obvious to interested observers. The financial policies followed all too frequently by the companies indicate that the check works—if at all—after a long interval, when the harm of overcapitalization and unsound management has been perpetrated. The difficulties of the present street railways are due, at least in part, to the absence of adequate check in the past to prevent dangerous practices. In other utilities there is no effective check now upon overcapitalization and unjustified policies imposed upon the companies. The economic rebound will come, unfortunately, in the future, and will then strike innocent investors who had no part in establishing present methods.

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Rate of Return and Fixed Rate Base.—The Massachusetts system of regulation has recognized the fact that effective rate making must be based upon investment. It realized that "fair value" is too indefinite for satisfactory administration and sound financial control. Investment is a definite quantity that can be maintained through the accounts, while "fair value" is fluctuating, and is subject to dispute and litigation.

The Massachusetts Department of Public Utilities has tried to keep to investment as the rate base.[1] But it has not adopted the companion principle, that the rate of return should be limited on the securities issued. The stockholders, after the initial investment has been made, are entitled at present to all the net income that the company makes above operating expenses and taxes at prevailing rates. There is, thus, no limit upon the dividend rate that may be paid.

This failure to place a limit upon the dividend rate, as well as upon the rate base, impairs the effectiveness of regulation for both the consumers and the investors. Unless the commission keeps the rates constantly adjusted to changing costs, and thus maintains the value of the stock constantly at par, it will be periodically confronted with the choice of dealing unfairly either with the consumers or with a group of the investors. The respective rights cannot be harmoniously preserved under prevailing conditions. The situa-

[1] Whether Massachusetts can keep to this measure is now in litigation before the federal court in the Worcester Electric Lighting case. The commission fixed the rates in Worcester, Massachusetts, at five cents per k. w. h., using practically the investment basis. The companies are claiming "fair value" as determined under ordinary rate-making standards.

tion can be more readily illustrated than explained in general terms.

Assume that an electric company had outstanding 50,000 shares of common stock issued at par, involving an actual cash investment of $5,000,000. Assume also that a 7 per cent dividend would keep the stock at par, but that the net return of the company over a period of years has steadily increased, because of growth in business and decrease in costs, so that dividends at 14 per cent have been established, and the market value of the stock is $200 instead of par.

Suppose, now, 25,000 shares of additional stock are issued at $200 per share, making a new cash investment of $5,000,000, fixing a total rate base of $10,000,000. The new investment at $200 per share involves a yield to the new stockholders of only 7 per cent,—the rate needed to keep the stock at par. But to continue this yield to the new investors will require a permanent dividend of 14 per cent upon all the stock (old and new). The old stock, however, had no right to such a return, and the public is compelled to assume this additional burden in the way of unwarranted profits to the old investors.

But suppose the commission were to limit the rate of return to 7 per cent upon the total cash investment of $10,000,000 (old and new), the new investors would be subjected to a reduction from the expected return of $14 to $9.33 per share. The commission thus faces the alternative of granting the old investors a 100 per cent profit, or imposing upon the new investors a 33⅓ per cent loss. The result almost inevitably will be the profit to the old investors, and a larger burden upon the consumers than is warranted by the actual rate base.

The situation just presented is far from academic. It appears in every electric company where (a) net earnings have increased materially in recent years; (b) where the market value of the stock has advanced according to the higher level of earnings; and (c) where additional capital is obtained through the issue of stock on the basis of present market prices.

The only remedy for such a condition is to limit the dividend rate as well as the rate base. If dividend payments in our example had been kept at 7 per cent throughout, then there would not be the conflict of interest between old and new investors, or between investors and the public. Effective regulation requires a definite rate of return, as well as a definite rate base, both subject to exact administrative control.

Financial Investigation under the Walsh Resolution.—We have been reliably informed that, in compliance with the Walsh resolution, the Federal Trade Commission is planning a thorough investigation of financial practices among public utilities. This is expected to cover not only a general inquiry into security issues, operating results, and holding company connections, but will include also the methods by which properties are purchased and profits made through resale or revaluations and rate adjustments obtained before the commissions and courts. It is to extend to management fees, service contracts, construction profits, and all devices by which hidden returns are obtained through the holding company systems. It will reveal the gaps that exist in our present mode of regulation and permit the evasion of effective control.

There appears to be one danger which may interfere with the thorough job contemplated. The funds necessary for the investigation apparently have not yet been made available, and the actual work has been held back. We do not know whether the delay is due to mere technical difficulties of transferring appropriations, or to actual opposition by the budget director and the Treasury Department. It would be a public calamity, indeed, if the promiseful investigation were to be choked off by inadequate funds for the work. We hope most sincerely that the government's zeal for economy will not hit this particular project.

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Commissions and Courts as Experts.—It would be a radical but an extremely salutary reform if, in public utility rate making, the commissions and judges were required upon appeal to justify their decisions and findings, through cross-examination on the part of the appellants. We are not actually proposing this reform, but we have often pondered the effectiveness and desirability of such a change in judicial responsibility.

We have in mind a wide range of economic, financial and technical facts, as to which the commissions and courts make easy-going pronouncements and determinations, which they would have great difficulty to justify if they were subjected to cross-examination upon appeal. When a case is heard before a commission or court, the facts are presented in laborious fashion. Experts are offered, and they must qualify as to training and experience before they are permitted

to testify on the technical and complicated matters. They give their testimony, and are then subjected to rigid cross-examination by opposing counsel, covering their knowledge, their reliability, and the consistency of their judgments. They are fortunate, indeed, if they are not made to appear ignorant and to contradict themselves as to important phases of their testimony. This procedure is entirely proper if rate making is to depend upon contest between opposing sides.

We do not subscribe to the idea that rate regulation should be based upon a system of litigation. We believe that it ought to be, and can be, based upon a definite system of governmental policy which involves only an effective administrative machinery, without litigation as to basic financial rights and facts on the part of the companies and the consumers. But since the system of litigation exists, the method of cross-examination is fundamentally necessary to preserve the rights of the parties. We have, however, the curious situation that, after the meticulous course pursued as to the experts, the commissions pass upon technical questions without possessing qualifications as to competence, and without showing the bases and reasons for their determinations.

The commissions and the courts in these cases are not concerned with principles of law, but with the sheer determination of technical facts. In the matter of valuation, they must decide upon the correctness of unit quantities, unit prices, the amount of overheads allowed, going value, and the depreciation to be deducted. All these determinations require a technical understanding, which, unfortunately, the majority of the commissioners and judges do not possess. Likewise in fixing rate schedules, there are difficult problems of cost allocation between different territories, between different classes of service, and between functions of operation. This involves no legal principles, but does require intimate acquaintance with cost relationships.

The experts, in all such matters, are subject to rigid qualifications and rigorous cross-examination. But the commissions and judges who make the findings are mostly unqualified to deal with the facts and issues presented, and far too often disregard the fundamental points to be considered in the determination. We have in mind very specific instances where, we believe, the public interests were unintelligently passed by. We feel that much more care should be exercised in appointments of commissioners; they should be the real experts that they are assumed to be under the law, when they are appointed. Unfortunately, moreover, there are few commissions which have any real experts, either as commissioners or on the technical staffs. Mostly the commissions are woefully ill-equipped to perform their duties. There are few commission analysts who are competent to work through complicated valuations and questions of apportionment between territory, service and functions. And yet the commissions must decide such questions of fact, and, unfortunately, base their decisions upon easy-going considerations so far as the public interest is concerned.

We submit that, if upon appeal involving financial and other technical facts, the commissions and judges were subjected to qualifications and cross-examination to justify their findings, there would soon be an improvement in personnel and equipment, and the public would be the beneficiary in better decisions affecting policies and methods of rate making.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY RUSSELL FORBES

Secretary

Recent Reports of Research Agencies.—The following reports of research agencies have been received at the central library of the Association since August 1, 1928:

Boston Finance Commission:

Letter to the mayor regarding ways and means of reducing the amount of taxes to be assessed on the taxpayers in the current year.

Letter to the city council presenting a comparative analysis of the tax rates of 1927 and 1928.

Letter to the mayor regarding the buying of cots by the schoolhouse commission.

California Taxpayers' Association, Inc.:

Report of San Diego City, California; an investigation of the principal activities of the city's government and an analysis of municipal expenditures for ten years, 1917 to 1926, with projections of a budget program for the period 1928 to 1936.

Cincinnati Bureau of Municipal Research:

Public Purchase of Materials for Public Works to be Furnished to Contractors.

Underground Wiring in New Subdivisions.

Illinois Municipal League:

Wheel Tax Information.

Bureau of Governmental Research, Kansas City, Kansas, Chamber of Commerce:

The Taxpayers' Guide to the Proposed City Budget for 1929.

Bureau of Research, Newark Chamber of Commerce:

Inter-Municipal Coöperation in the Newark Metropolitan District.

St. Paul Bureau of Municipal Research:

Letter to the voters of Saint Paul regarding charter amendment empowering the city to own and operate bus lines.

Schenectady Bureau of Municipal Research, Inc.:

Report on the Administration of the Schenectady Civil Service.

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Governmental Research in Hawaii.—The Hawaii Bureau of Governmental Research has recently been organized, with headquarters at No. 1 Schuman Building, Honolulu. The director is O. F. Goddard.

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Buffalo Municipal Research Bureau, Inc.—During the past few months the Bureau has been acting as advisor to the comptroller and the New York and Buffalo Audit Company in devising an adequate accounting system for the city which is greatly needed; acting as technical advisor to the council investigating committee; making a complete survey of the administration of the division of water; acting with the council and the civil service commission in a study of duties and salaries of all city employees with a view to equalization and standardization; working with the city treasurer on a more perfect system for collection of arrears, and a number of other shorter studies.

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Taxpayers' Research League of Delaware.—The League successfully tried the experiment of staging its annual meeting this year as a dinner event on September 17, with the result that it had a considerably larger attendance than at any previous annual meeting, and succeeded in conveying to those present a much more definite idea of what the League's work is and how it is done. The election of trustees resulted in adding to the board a number of citizens who are preëminent in the state for their civic interest and activity. The officers elected by the new board are: Edward W. Cooch, Esq., president; Charles Warner, Henry Ridgely, Esq., and Louis A. Drexler, vice-presidents; and Haldeman C. Stout, treasurer.

C. Douglass Buck, the Republican candidate for governor, has stated that he believes the League can prove of inestimable worth to the state, and that if chosen governor he would value the League's coöperation and assistance in securing a thorough survey of the business being done by the state with the methods employed, and would regard it a privilege to review such recommendations as the League might believe should come to his attention. He has indicated, as illustrative of the problems he has in mind, the abolition of useless commissions, the inser-

tion of power necessary for active commissions to function efficiently, the closer coördination of state departmental bureaus, and a survey of the state's financing and auditing system.

Dr. Charles M. Wharton, the Democratic candidate for governor, has said that if he is elected governor he would not merely welcome but invite suggestions and recommendations from the League, and suggests the simplification of taxation, the equitable distribution of the tax burden, and the reduction of that burden whenever and wherever possible. He adds that the names of the trustees and officers of the League carry confidence that its work will be well and sanely done.

Arrangements are now being completed to call together at a smoker a considerable gathering of prominent business men to finance the increased staff and budget which the League's program will require during the coming year. The major items on this program are the administrative reorganization of the state and the state finance code on which the League is working in coöperation with the Delaware Bankers' Association.

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Des Moines Bureau of Municipal Research.—The Bureau recommended to the street department that it investigate the feasibility of installing a larger gasoline tank and purchasing gas in tank car lots. The report showed that the various departments of the city of Des Moines use about 108,000 gallons of gasoline yearly. This is purchased on three-month contracts on competitive bids, and is distributed to the five city garages by tank wagons. By contrast the waterworks, operated under a separate commission, buys gasoline in tank car lots at several cents a gallon less than the city pays for it and obtains a fine grade of fuel.

Reports on the six months' expenditures of the county and four months' expenditures of the city were made.

The Bureau is investigating the cost of printing and stationery for the city and county. It found that county stationery, which is purchased almost exclusively from one firm, costs considerably more than that bought by the city. County stationery is characterized by numerous different kinds of paper stock and headings purchased in small lots. The purchasing committee of the board of supervisors will take steps to remedy these conditions. While the report contended that there is not sufficient standardization in stationery used by the city of Des Moines, still jobs are let after quotations are received, with resulting reasonable prices. A commendable feature of the city's practice is a printing record book in which all city record and stationery forms are numbered and indexed, and quotations and final cost prices are entered.

*

Kansas City Public Service Institute.—The Public Service Institute, at the present time, is engaged principally on the following subjects:

Assessment Procedure Results.—As a first step in endeavoring to determine the efficiency of the assessment system used in Kansas City and Jackson County and of the uniformity of assessments, an analysis of all sales of real estate during 1927 is under way. The sales prices are to be compared with assessed values of the same properties and the results are to be tabulated by districts, types of property, etc. Other studies of assessment procedure are contemplated.

Financial Plan.—Coöperation of city officials in the preparation of a financial and improvement program apparently cannot be secured. The Institute has undertaken, on its own initiative, financial studies which would form the basis for such a program. It is expected that the improvement parts of the program will be worked out in coöperation with other organizations.

Reformatory Survey.—At the request of the Woman's City Club of Kansas City, a financial survey of the state reformatory for boys has just been completed.

Permanent Registration.—The permanent registration bill drafted for the Public Service Institute and the Chamber of Commerce by Dr. Joseph P. Harris in 1926 is being revised preparatory for submission to the legislature which meets in January.

Police Pensions.—A bill to provide a pension system for Kansas City police will undoubtedly be introduced at the next session of the legislature. The Institute is endeavoring to persuade city and police officials to have prepared a plan constructed on an actuarial reserve basis. The city manager has stated that he is going to employ an actuary to make the necessary studies, but unless this is gotten under way soon it is more likely that a cash disbursement system bill will be introduced.

County Government.—A bill providing for reorganization of the government of Jackson County, in which Kansas City is located, has recently been completed by the Institute. This is now in the hands of county officials for study.

The bill does not provide for a county manager, because there probably would be little chance of its passage; whereas, a reorganization bill providing for consolidation of departments, elimination of a number of elective officials, and the installation of a sound budget and financial system will probably receive approval of officials and have a very good chance of adoption. The bill prepared provides for a long step forward in the government of Jackson County.

The latter three items on this list of activities, together with a bill to provide local control of police for Kansas City, will probably constitute the major items on the legislative program of the Institute for this winter.

Plans for the formation of a joint legislative committee, representing a number of the leading civic organizations, are being prepared for the purpose of combining the effort of these organizations on bills of city-wide importance and on which all the organizations are in agreement.

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League of Minnesota Municipalities.—Recent bulletins issued include: *Salaries of Village Official in Minnesota; Telephone Rates in Minnesota; Tax Rates, Assessed Valuations, and Local Indebtedness in Minnesota—1928; Minnesota Fire Department Statistics, 1928;* and *Fire Protection and Fire Prevention Ordinances.*

A special committee of the League submitted a brief to the insurance commissioner of the state of Minnesota to protest the application of new rates proposed by the general inspection bureau, the rating agency for fire insurance companies in this state.

Ambrose Fuller, former staff member of the St. Paul Bureau of Municipal Research, and former city manager of White Bear Lake, Minnesota, has recently joined the staff of the League.

Mr. Harvey Walker, staff member of the League from 1925 to 1927, and acting executive secretary 1927–28, has accepted an appointment as assistant professor of political science at Ohio State University.

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Bureau for Research in Government, University of Minnesota.—Beginning on October 1, 1928, Mr. Oliver P. Field will succeed William Anderson as director of the Bureau. Mr. Field was formerly assistant professor of political science at the University of Indiana, and is now associate professor of political science at the University of Minnesota. He is the joint author with Professor F. G. Bates of a book on *State Government* published during the past summer by Harper and Brothers.

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Taxpayers' Association of New Mexico.—The Taxpayers' Association at the present time is assisting in compiling and analyzing the expenditures of state and local governments for the fiscal year ending June 30, 1928. The results of this work will appear in a future issue of the *New Mexico Tax Bulletin.* The efforts of the Taxpayers' Association are also being directed toward securing legislation that will provide for a general re-appraisement of property for purposes of taxation. Tentative measures are being prepared for submitting to the legislature at its next session early in 1929.

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Philadelphia Bureau of Municipal Research.—Gustav Peck, who has been a member of the professional staff and was making a study of methods of assessing real estate in Philadelphia, resigned from the Bureau in August. Mr. Peck has joined the editorial staff of the Encyclopedia of the Social Sciences in New York. He will outline and edit the section of the encyclopedia on "The City."

The Philadelphia Chamber of Commerce has again appointed a committee on taxation and public expenditure, and again Mr. Beyer, director of the Philadelphia Bureau, is a member of the committee. Special attention is to be given by the committee to improving the methods of recording deeds and other instruments in Philadelphia. The Bureau, which has been studying this subject, is coöperating with the committee.

In its study of the office of the recorder of deeds of Philadelphia, the Bureau has succeeded in measuring in words the volume of work transcribed in the five years, 1923–1927. During the last three months results of a comparison of the volume of work done with the cost of transcribing have been given to the public in *Citizens' Business.* It has been found that Philadelphia pays over 15 cents a hundred words for transcribing and comparing, more than four times the cost in Cook County, Illinois, where photography is the main reliance in recording. The Bureau has shown that if Philadelphia could equal the Cook County cost it would save close to $350,000 a year, more than a cent in the tax rate.

Announcement has been made that after the close of 1928 the Bureau will not be a member of the Welfare Federation of Philadelphia. Following is the text of a public statement signed by the

president of the Welfare Federation and the president of the Bureau:

The Welfare Federation and the Bureau of Municipal Research of Philadelphia announce that at the end of the calendar year 1928 the Bureau will cease to be a member of the Federation and will finance its needs independently.

The trustees of the Federation have requested the Bureau of Municipal Research to withdraw because of the Federation's new policy of limiting membership to agencies whose major activities and budgets are for charitable purposes or for purposes ameliorating or removing conditions creative of the need for charity, instead of including educational agencies like the Bureau which was done when the Federation was first organized.

The Welfare Federation fully recognizes the complete coöperation which the Bureau has given since it became a member thereof, upon the invitation of the Federation, in 1921. It recognizes that the Bureau merged its financial support with that of the other agencies to make the Federation possible; that most of the Bureau's former contributors are now contributors of the Federation; that officers and trustees of the Bureau have been and are officers and trustees of the Federation, and have assisted in raising the Federation's budget, doing everything in their power to make the Federation a success.

The trustees of the Welfare Federation, realizing their responsibilities for the continuance of the valuable and important work the Bureau is doing, and desiring to be fully helpful in the difficulty with which the Bureau is confronted in reverting to independent financing, gladly join with the trustees of the Bureau of Municipal Research and approve of the appeal that they will presently make to the public-spirited citizens of Philadelphia for a generous support in meeting the Bureau's financial needs.

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Schenectady Bureau of Municipal Research.—*Purchasing Methods.*—Members of the staff are soon to commence a study of the city's purchasing methods. The object is to ascertain present procedure and make such recommendations as seem necessary to bring the purchasing system up to the requirements recommended for a centralized purchasing department.

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Toledo Commission of Publicity and Efficiency.—The Commission is engaged in making a survey of the progress of city planning in Toledo. It is checking over the zoning changes made by the council since the passage of the zoning ordinance in 1923, to find out how many of the recommendations of the city plan commission were overruled by the city council.

In 1924 and 1925, six city plan reports were made on Toledo by the Harland Bartholemew Company. The subjects were major streets, transit plan, railroad transportation, port study, industrial survey, and recreation. It is the purpose of the Commission of Publicity and Efficiency to find out the progress made in carrying out the recommendations made in these reports in addition to the zoning changes.

MUNICIPAL ACTIVITIES ABROAD

EDITED BY W. E. MOSHER

Director, School of Citizenship and Public Affairs, Syracuse University

Efficiency in Government.—Since the war a movement has gotten under way in Germany that is now practically nation-wide in scope. It is commonly spoken of as bureau reform. Its aim is to bring about up-to-date and businesslike management of public affairs, along the lines of organization and method. How much importance is attached to this movement may be seen in the organization which bears the imposing title, "The German Institute for Efficient Management in Public Administration." In connection with the International Exposition of Office Appliances and Aids this Institute is planning a series of lectures dealing with various features of the management of governmental offices and bureaus. These lectures are to be given by outstanding public officials and university professors. Characteristically enough, the first lecture has as its title "The Problem of Rationalization." It is to be given by a professor of public administration. Other lectures have to do with bureaucratic reform, with technical innovations in office management, and with scientific investigation in the conduct of public business.

The Institute supplies special guides for government officials who are interested in up-to-date office appliances, furniture, bookkeeping and other forms, and similar matters. It is noteworthy that an exposition of this sort should serve as an occasion for stimulating interest among public officials in modern business methods, and technique.—*Reichsverwaltungsblatt und Prüssisches Verwaltungsblatt, September, 1928.*

*

State and Local Government in Germany.—Those students of German government who wish a somewhat intimate knowledge of the authority and functions of the state, particularly in its relation to its constitutional units, will do well to read the sections dealing with government in the August and September issues of the *Zeitschrift für Communalwirtschaft*, 1928, and the July, 1927 number. The first describes the state of Thuringia, the second Saxony, and the third, Baden. Although these four-hundred-page publications treat of cultural, economic and social conditions in a very broad way, particular attention is devoted to the administration of the local governmental units and their relations both among one another and to the central agency of government. Competent and official spokesmen have contributed the articles on government.

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Education for Public Administration.—The passing of Lord Haldane, one of England's great public servants, gives the editor of the *Monthly Notes of the Institute of Public Administration* occasion to sound his praises for his consistent emphasis on the supreme importance of education in all the higher and more specialized branches of modern state government. He is honored as one who "among all leading statesmen has paid perhaps more attention than any other to the science and theory of public administration." He emphatically urged the necessity for developing coöperation in universities and was a great believer in the academic approach to all vital questions and social movements. It was through his influence that the Institute of Public Administration was organized and in a considerable measure through his influence that it enjoys its present prestige. The awarding of the diploma in administration in the University of London is a specific outgrowth of the movement in which Lord Haldane was so interested. Incidentally it might be noted that the Institute of Public Administration has appointed an advisory committee for the purpose of counselling with students who intend to undertake a professional preparation for administrative work in the government.—*Monthly Notes of the Institute of Public Administration*, August–September, 1928.

NOTES AND EVENTS

EDITED BY WELLES A. GRAY

Assistant Director, Municipal Administration Service

State Administrative Reorganization and the University of Minnesota.—Students of state administrative reorganization will be interested in a recent decision of the Minnesota Supreme Court regarding the application of the state reorganization act of 1925 to the state university. The case involved more than this particular application of the law, for behind this legal controversy were aligned the forces fighting for and against the continuance of the reorganization act itself.

It will be recalled that the act of 1925 created a commission on administration and finance similar to the commission of that name in Massachusetts. This commission consists of three members,—the comptroller, the budget commissioner and the commissioner of purchases—and is popularly known as the "Big Three." The state auditor may approve no warrant drawn upon the state treasurer for an expenditure from an appropriation unless its object has been approved by the commission.

The dispute centered around an attempt of the board of regents of the University of Minnesota to spend $45,000 to provide group insurance for the faculty and employees of the university. The commission refused to approve such expenditure, and a test case was made, to see whether such approval was necessary. It was contended that this requirement in the law did not apply to the university, inasmuch as that organization possessed certain constitutional immunities, which were based upon acts of the territorial legislature in the fifties. The court sustained this contention, holding that the constitution of 1858 "perpetuated" the board of regents as a constitutional corporation with all executive power over the university. Since all executive power over university affairs was put in the hands of the regents by the constitution, none of it may lawfully be exercised or delegated to other authority by the legislature.

The immediate effect of this decision is to free the university from domination by the state executive, but its ultimate effect is likely to be more far-reaching. By the same line of reasoning (and the court hinted as much in its opinion), the application of this act to the expenditures of constitutional officers, such as the attorney general, the secretary of state, the treasurer, and the auditor, may be seriously impaired. It appears likely that the next legislature may be confronted with the task of patching up a sadly battered reorganization act; or, perhaps, of devising a new scheme not subject to constitutional objections.

HARVEY WALKER.

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Six Months of the Holland Tunnel.—The New York City Police Department recently issued a summary of the activities of the Holland Tunnel police from November 13, 1927 to August 24, 1928, inclusive. This we reprint in full below:

Stoppages in tunnels due to some defect in mechanism or operation of vehicles concerned	4,083
Stoppages on plazas	274
Fires extinguished in tunnels	146
Collisions in tunnels and plazas	231
Disabled vehicles handled	1,558
Gas supplied to vehicles in tunnels	564
Towing chains loaned to tow vehicles from tunnels	385
Arrests	160
Summons issued	1,213
Persons warned of violations and record card filed	4,100
Persons injured (none seriously)	108
Vehicles passed through tunnels during period	6,396,103
Charges and specifications preferred to superintendent against members of force for disciplinary action	51
Admonished in lieu of charges being preferred	40
Dismissals	17
Resignations	23
Total police force in tunnel	200

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Convention of Illinois Municipal League.—The Illinois Municipal League held its fifteenth annual convention at Joliet, September 13 and 14, with an attendance of 304, representing seventy-seven cities and villages, and sixteen park districts. The following officers were elected to serve during the coming year:

President—The Hon. Charles H. Bartlett, Mayor, Evanston

Treasurer—Professor J. A. Fairlie, University of Illinois

General Counsel—R. F. Locke, attorney, Glen Ellyn

Secretary—A. D. McLarty, University of Illinois

Among the more important resolutions adopted were the following:

That a law be passed authorizing the establishment of municipal utility districts for public utility services, including water, gas, light, heat, power, and transportation.

That municipalities of Illinois be granted the power of excess condemnation for purposes of local improvements and city planning.

That home rule for Illinois municipalities be authorized by constitutional grant.

The outstanding speaker at the convention was Arthur Collins, honorary secretary, the Institute of British Municipal Treasurers and Accountants, who discussed general topics of municipal administration, including publicity for municipal affairs, and professional training for public service.

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"Anti-Hague" Bills Pass in New Jersey.—Of especial interest to our readers, who will recall E. E. Smith's article on Mayor Hague of Jersey City in the September REVIEW, are five bills passed on October 9 by the New Jersey legislature, three of them over the veto of Governor Harry A. Moore. The three bills passed over Governor Moore's veto are frankly designed to curb the power of the Hague machine in Hudson and Essex counties, and are commonly known as the "anti-Hague" bills. By the five bills, extraordinary and summary powers are granted to the superintendents of elections (which officers exist only in Hudson and Essex counties). County boards of elections are empowered to dismiss election officials without trial, although cause must be shown, and the authority of the Elisor Grand Jury Act is revived. This last law empowers resident Supreme Court Justices to remove from the sheriff and jury commissioner of a county the power of selecting grand juries, and to place it in the hands of two disinterested persons, who may then select the grand jury from any parts of the state they deem fit.

Of particular interest are the bills dealing with the conduct of elections, whose purpose, according to Republican leaders, is to "guarantee as honest an election as is humanly possible" in Hudson and Essex counties. By the authority of these bills the superintendents of elections, and their deputies, will exercise close supervision over the polls; they can make arrests without warrants for violations of the election laws. A policeman refusing to assist them in this work is liable to punishment for a misdemeanor. Superintendents are empowered to strike from the voting lists the names of all persons found ineligible. It is expected that this will prevent padding of the lists, voting by dead persons and by persons residing on vacant lots, repeating, exchange of voters by parties in the closed primaries, and other similar corrupt practices. The bill granting sweeping powers of dismissal to county boards of elections was one of the two passed for the first time, and therefore not passed over a veto. While aimed at the Hague machine, its effect will be felt throughout the state, inasmuch as all twenty-one counties of New Jersey have such boards. The other bill passed for the first time, along with the reënactment of the other three bills, authorizes superintendents of elections to place their seals upon the ballot boxes immediately after the ballots have been counted, and empowers them to prevent reopening of the boxes except upon the order of the resident Supreme Court Justice.

Whether these bills will guarantee an honest election, or whether the normal Democratic majority of 100,000 in Hudson County will be cut down, remains to be seen.

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New England City Managers Organize Association.—City managers of Connecticut, Maine, Massachusetts, and Vermont have organized the New England City Managers' Association, to be composed of city and town managers in those four states. The following officers were elected at the first meeting:

President—C. A. Bingham, city manager, Norwood, Massachusetts, and formerly manager of West Palm Beach, Florida.

Vice-president—James E. Barlowe, city manager, Portland, Maine.

Secretary—Roy M. Wilcomb, city manager, Springfield, Vermont.

This Association will hold quarterly meetings each year, one in each of the states.

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The Municipal Light Plant of Kansas City, Kansas.—As a result of a survey of the Kansas City, Kansas, municipal light and power plant, recently made by Burns and McDonnell, nationally-known consulting engineers, this plant is shown to be among the most efficiently operated in the country. The survey was undertaken at the request of the Kansas City, Kansas, Cham-

ber of Commerce, upon the suggestion of its Bureau of Governmental Research, in order to determine the wisdom of a proposed contract for electric power during peak loads, about to be made with the Kansas City Power and Light Company of Kansas City, Missouri. This contract was under consideration by the city commissioners at the time the survey was made. As a result of this survey, the proposed contract was abandoned by the commission.

Of significance to those interested in the results of municipal ownership and operation of public utilities, are the following quotations from this report:

That the municipal plant is strictly competitive is shown by its rates which are among the very lowest in the country, far lower than those of any utility of which we have record. This is all the more remarkable when it is considered that the plant earned a profit in 1927, in addition to setting aside a sinking fund and a six per cent depreciation.

The plant is enjoying an unusually good load factor, 56 per cent. Compare this with the average load factor of 42½ per cent for all the utilities in this country. It shows that the loads have been balanced on the plant so that the evening peak is but slightly higher than the morning peak or the afternoon peak and the low points filled in. This all points to good management on the part of Mr. Donovan (the manager) and his associates.

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A Survey of Housing in Detroit.—The Michigan Housing Association, assisted by the Detroit Board of Health, the Detroit Board of Education, and the local branch of the American Association of University Women, has recently completed the housing survey of the entire city of Detroit, which was announced in the September REVIEW. The 588 school census zones of the city were used as a basis for the survey.

As a result of this survey an index of room density or congestion throughout the city has been obtained. In making this survey the generally accepted standard for the United States of one person per room was used; where there was more than one person to a room, conditions were regarded as overcrowded. The term "room" was taken as meaning only bedrooms, living rooms, kitchens, etc. Bathrooms, open sleeping porches, and halls were not included.

Overcrowded conditions were found in 52 of the 588 school zones, and crowded conditions were found in 88 more. The total population of the 52 overcrowded zones is 109,587, distributed among 97,546 rooms, an average of 1.123 persons per room. In the crowded zones the population totals 174,721, distributed among 183,559 rooms, —.951 persons per room.

In this connection the following comment was made:

While it does not appear that overcrowding exists in these 88 zones, as a whole, considerable portions of them are undoubtedly very much overcrowded. For example, a family home may consist of four rooms—living room, kitchen and two bedrooms. In this case one person per room would mean that four persons would occupy two bedrooms; with an index of two persons per room, eight persons would occupy two bedrooms; and with an index of three persons per room, twelve person would occupy two bedrooms. Hence an average index of congestion for an individual zone or even a group of zones will not portray many dreadful cases of overcrowding in individual homes. Such conditions can be ascertained only by individual house study, which the Association hopes to undertake in the near future.

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Informal Conference on the Personnel Problems of the United States Government.—At the invitation of the Institute for Government Research, the first meeting of the informal conference on the personnel problems of the government of the United States was held at the Brookings Institution, Washington, D. C., September 13. The object of the conference is fully covered in the following resolution, adopted unanimously:

That the chair appoint a subcommittee of three to draft recommendations for an adequate system of personnel administration for the national government, preferably including a proposed bill, and that it also prepare an explanation of the reasons which underlie its recommendations.

That when this sub-committee has prepared its recommendations and its explanatory statements, it submit copies of them to the members of this group and to others that may be specially interested.

That at a reasonable time after these recommendations and statements have been received, this group reassemble to consider in detail the recommendations and supporting statement and to modify and perfect them so that if possible they may represent the judgment of the group.

That the subcommittee shall consult freely with the members of this group and with others interested in the subject and that members of this group agree to coöperate so that the best judgment of the group as a whole may be secured.

This meeting was attended by twelve members of organizations most interested in federal personnel questions.

Milwaukee's Citizen City Charter Movement.—Milwaukee's charter today is a patchquilt made up of the last complete revision of 1874 as amended; general, special, and optional acts of the state legislature; charter amendments passed by the common council since the grant of home rule in 1925. We have a volume of 700 pages as last compiled in 1914. No man knows today, or would attempt to say, what laws do, and what laws do not, affect the city of Milwaukee.

The local machine for discharging the powers conferred by this elusive document is of the "weak-mayor" type; and to accentuate the dispersion of authority, the "weak-mayor" effects a doubtful coöperation with twenty-five aldermen drawn from as many wards, each of whom still enjoys a veto over local improvements.

A citizen movement got up steam in the early part of 1927 to convey this mass of rust and legal verbiage to the junk pile—salvaging, however, such administrative details as had not outlived their usefulness for reënactment and revision into an administrative code by the common council. This administrative code is to be passed by a majority vote of the council, but can be amended by a two-thirds vote limitation. It is to contain an administrative division, financial division, and personnel division.

The City Charter League was actuated by a sincere desire to simplify and modernize, to shorten and clarify, to induce effectiveness where inertia has before obtained. Its real source of inspiration and strength lay in the home rule constitutional amendment of 1924, and the home rule enabling act of 1925. The result of its meditations and prayers for the past year is a short charter of twenty-five pages, containing only the framework of government, which was unanimously approved by the drafting committee.

It most nearly resembles the "strong-mayor" structure. The city council is to be elected from three districts by proportional representation with the uniform quota of 7,000 votes. After each election resulting in the election of more than 25 councilmen, the quota is to be increased 1,000 votes.

The city treasurer, city attorney, and city controller are removed from the ballot. The mayor is to appoint the heads of the departments, with the council's confirmation for indefinite terms—removable at the pleasure of the mayor. Five departments are set up in the charter: law, public works, health, finance, and building and safety inspection. The board of estimates is abolished and an executive budget under the mayor is established. The form of the budget is specified in detail.

A new department of finance is created, consolidating seven now separate departments. It will have complete control over the financial affairs of the city including the keeping of accounts, current auditing, custody and dispersion of funds, tax assessing, purchasing supplies and real estate. The council will appoint an independent auditor for indefinite term who must be a C. P. A. As things stand, the elected controller audits the books for which he is responsible.

The other new department is that of building and safety inspection which consolidates four separate departments.

A civil service board of five members, appointed by the mayor and council, is provided with powers and duties to make rules applying to personnel administration and to hear appeals from discharge. The council *may* discontinue the fire and police commission. All administrative duties are taken away from the two civil service commissions. Civil service provisions apply to the selection of bureau and division heads, but they are subject to dismissal by the directors of departments with the power to appeal to the civil service commissions.

Ex-officio members are removed from the city planning commission. Five members are to be appointed by the mayor and council. The model law prepared by the Hoover committee was drawn upon for the city planning and zoning provisions. All acts of the council affecting the city plan must be referred to the city planning commission for approval. A two-thirds vote of the council is necessary to over-ride the disapproval of the city planning commission.

For eight years the Socialist and Non-partisan alignment has been eleven to fourteen, respectively, but at the last election the Socialists elected only six aldermen. A charter amendment may be passed by a two-thirds vote, and consequently the Non-partisans have started a campaign to deprive the Socialist mayor of his appointive power, to change the zoning law, and to meddle with the fire and police commission. That is to say, they are proceeding to exercise to the full the powers conferred upon the council by the home rule act, and they seem to have taken the bit in their teeth prepared to run away with the works. It is hoped that they will run far and

fast enough to create some public concern in the fate of the new charter at the April, 1929 election.

HAROLD L. HENDERSON.
Citizens' Bureau of Milwaukee.

*

Civic Education in Cincinnati through the Radio

The government of Cincinnati plans, as a part of its program of civic education, to broadcast every Monday evening, over WLW, a series of talks by city officials, describing the organization and work of the city government, and its various departments.

The first of these talks was given by City Manager C. O. Sherrill on the evening of September 17. This talk consisted of a brief discussion of the general character and advantages of the city manager plan, followed by a short description of the city government.

The usefulness of such a program is unquestionable, and in this connection the following quotation from Manager Sherrill's address is pertinent: "Without the constant interest of all classes of citizens, continuance of good government is impossible, and it is to arouse this interest that this series of radio talks . . . will be given. When a city has good government, streets well cared for, traffic running smoothly, fire prevention and protection carefully provided, city markets clean and well administered, transportation by bus and street car adequate, there is a tendency for people to take these things for granted and forget all about the city government which provides them. They go to sleep, forget their duty as citizens and voters, and, before they know it, good government is gone and gangsters are in control, as they are today in many large cities."

*

A New Municipal Airport for Cincinnati.—Plans have been made public for the construction of Cincinnati's new municipal airport, Lunken Field. These plans were prepared by City Manager C. O. Sherrill and Service Director Robert N. Olin, in consultation with Kruckemeyer and Strong, architects, and it is hoped that the port will be ready for dedication next year. By these plans the city takes over the operation of the present privately-operated Lunken Field.

Elaborate equipment will be provided. This will include a two-story administration building, which will house the offices of the municipal officials in charge of the field, and the offices of the Embry-Riddle Company, the present commerical operators at Lunken field, who are responsible in a large measure for the field's development. The administration building will also house waiting rooms for passengers. In addition there will be other buildings housing a pilots' room, a restaurant, hangars and other necessary quarters. Ample lighting facilities will be provided, which will include two-lamp changing flood lights of 10,000 watts each, a ceiling light, beacon lights, etc.

*

Beccari Garbage Disposal System Installed in Florida.—The city of Dunedin, Florida, has contracted for the installation of a garbage disposal system of the "Becarri" type. This system is somewhat new in the United States, but has been in general use in Italy and Southern France for some years.

The system operates by natural fermentation carried on in suitable cells or chambers. By this simple process, garbage and other organic refuse can be converted into an odorless, inoffensive humus which has a commercial value.

The plant was contracted for only after careful study and investigation on the part of the city manager, W. L. Douglas, who is taking an active interest in the construction.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC.,

Required by the Act of Congress of August 24, 1912,

Of NATIONAL MUNICIPAL REVIEW, published monthly at Concord, New Hampshire, for October 1, 1928.

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.

Before me, a notary public, in and for the State and county aforesaid, personally appeared Russell Forbes, who, having been duly sworn according to law, deposes and says that he is the acting editor of the NATIONAL MUNICIPAL REVIEW and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 411, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
Publisher, National Municipal League, 261 Broadway, New York, N. Y.
Editor, H. W. Dodds, 261 Broadway, New York, N. Y.
Acting Editor, Russell Forbes, 261 Broadway, New York, N. Y.
Managing Editor, None.
Business Managers, None.

2. That the owner is: The National Municipal Review published by the National Municipal League, a voluntary association, incorporated, 1923. The officers of the National Municipal League are Richard S. Childs, President; Carl H. Pforzheimer, Treasurer; Russell Forbes, Secretary.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

RUSSELL FORBES,
Acting Editor.

Sworn to and subscribed before me this 3rd day of October, 1928.

MAY F. DONOVAN.
Notary Public.

SEAL] (My commission expires March 30, 1930.)